

ST. CHARLES PARISH
PLANNING BOARD OF COMMISSIONERS
JUNE 4, 2015
7:00 P.M.

CALL TO ORDER
PLEDGE OF ALLEGIANCE

PUBLIC HEARINGS:

1 PZSPU-2015-13

Requested by: Max & Company, LLC for a special permit use to have a metal shop in a C-2 zoning at 16806 Hwy 90, Des Allemands. This special permit use includes a variance request for setbacks and a waiver request for landscaping, and buffer requirements. Council District 4. **This request requires a recommendation by the Planning Commission and approval of the Council. Forward to Council July 6, 2015.**

9 PZS-2015-22

Requested by: William C. Woodruff, III & Juanita G. Woodruff for resubdivision of Lots 11-A & 11-B, Sq. 302, Ellington Addition to the Town of Luling being a subdivision of a portion of Ellington Plantation into Lots 11-A1 & 11-B1 (408 & 410 First Street, Luling) with a waiver to the required 6,000 sq. ft. lot size and the required 60 ft. front footage. Zoning District R-1A. Council District 2. **This request requires a recommendation by the Planning Commission and approval of the Council. Forward to Council July 6, 2015.**

14 PZS-2015-23

Requested by: Diahann L. Dufresne for resubdivision of a portion of property abutting Gassen Subdivision as described in Acts of Sale from Robert P. Gueno to Joseph D. Dufresne recorded in COB 441, Folio 802 and COB 423, Folio 326 into Lots D-1, D-2, & D-3 (Batture) with a waiver to the hard-surface frontage for Lot D-2 in Section 10, T13S R21E, St Charles Parish (13561 River Road, Luling) Zoning District C-2/R-1A Council District 2. **This request requires a recommendation by the Planning Commission and approval of the Council. Forward to Council July 6, 2015.**

18 PZSPU-2015-14

Requested by: Diahann L. Dufresne for a special permit use to have a residence at 13561 River Road, Luling. Zoning District C-2/R-1A Council District 2. **This request requires review and approval by the Planning Commission.**

21 PZS-2015-24

Requested by: Louis G. Authement on behalf of Justin & Heather Loupe / Elaine Naranjo for resubdivision of Lots 307, 308 and the revocation of a 60 ft. access, into Lots 307A & 308A, Fashion Plantation Estates, Phase II (700 & 702 S. Fashion Blvd.), Hahnville. Zoning District R-1A. Council District 1. **Request to table by the applicant.**

25 PZR-2015-13

Requested by: CGI Holdings, LLC for a change in zoning classification from R-1A to C-2 at 108 Gassen St., Luling. Council District 2. **This request requires a recommendation by the Planning Commission and approval of the Council. Forward to Council July 6, 2015.**

31 PZR-2015-14

Requested by: Donald James George for a change in zoning classification from R-1A to C-3 at 14648 River Road, New Sarpy. Council District 3. **This request requires a recommendation by the Planning Commission and approval of the Council. Forward to Council July 6, 2015.**

36 PZR-2015-15

Requested by: Roy A. Estay for a change in zoning classification from R-1A(M) to R-1M at 106 Mitzi Lane, Paradis. Council District 4. **This request requires a recommendation by the Planning Commission and approval of the Council. Forward to Council July 6, 2015.**

42 PZO-2015-03

Requested by: **V.J. St. Pierre, Parish President** for Public hearing on the St. Charles Parish Zoning Code Modernization – Phase1 project as approved an authorized under Ordinance No. 14-8-14 for the Cooperative Endeavor Agreement (CEA) between University of New Orleans (UNO) and St. Charles Parish. Proposed amendments affect: Appendix A, St. Charles Parish Zoning Ordinance of 1981 and Appendix C, St. Charles Parish Subdivision Regulations of 1981. **This request requires a recommendation by the Planning Commission and approval of the Council. Forward to Council July 6, 2015.**

OLD BUSINESS

NEW BUSINESS

MINUTES – May 7, 2015

ADJOURN

**St. Charles Parish
Department of Planning & Zoning**

LAND USE REPORT

CASE NUMBER: PZSPU 2015-13

GENERAL APPLICATION INFORMATION

- ◆ **Application Date:** 4/27/15
- ◆ **Name/Address of Applicant:**
Roy Dufrene
Max & Company LLC
16806 Hwy 90
Des Allemands, LA
- ◆ **Location of Site:** 16806 Hwy 90 West, Lot D, Square 55
- ◆ **Requested Action:** Special Permit Use for a metal shop in a C-2 zone

SITE – SPECIFIC INFORMATION

- ◆ **Existing Land Use and Zoning:** C-2; site is currently used as metal shop and light manufacturing
- ◆ **Surrounding Land Uses and Zoning:** C-2 zone abuts to the north—boat repair shop; R1-AM zoning abuts to the south and west—single-family residences and mobile homes; R1-A zoning to the east, across Hwy 90—single-family residences.
- ◆ **2030 Comprehensive Plan Recommendations:** General Commercial with adjacent Moderate Density Residential
- ◆ **Size of Parcel:** Approximately 21,240 sq ft
- ◆ **Traffic Access:** Hwy 90 West
- ◆ **Utilities:** Standard utilities (water, sewer, drainage, electricity, gas, and telecommunications) are available to the subject site.

APPLICABLE REGULATIONS

Appendix A., Zoning Ordinance, Section VI.

C. [III] C-2 General commercial district:

1. **Use Regulations:**
- c. Special permit uses and structures:
- (6) Sheet metal shops

AND

Appendix A, Zoning Ordinance, Section IV.

9. Review and evaluation criteria/special permit use and special exception use: The appropriate decision-making agent and/or body shall review and evaluate each application based upon the following relevant criteria:

- a. Comparison with applicable standards established by the Comprehensive Land Use Plan as applied to the proposed use and site.
- b. Compatibility with existing or permitted uses on abutting sites, in terms of building construction, site development, and transportation related features.
- c. Potentially unfavorable effects or impact on other existing conforming or permitted uses on abutting sites, to the extent such impacts exceed those impacts expected from a standard permitted use in the applicable zoning district.
- d. Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonable and anticipated in the area considering existing zoning and uses in the area.
- e. Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.
- f. Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.
- g. Conformity with the objectives of these regulations and the general purposes of the zone in which the site is located.

- h. That any conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed use with existing or permitted uses in the same district and the surrounding area.

The above criteria listed in a--g is to be considered illustrative and not restrictive, and other criteria may be considered although not specifically listed above if said criteria affects [affect] the general welfare and safety of the public at large.

ANALYSIS

The applicant requests a special permit to operate a metal shop in a C-2 zoning district. Max & Company has evolved and expanded from the assembly and production of heavy tools to working with sheet metal. Applicant also seeks to construct an accessory building in his side yard to serve as a storage building.

The surrounding zoning and land uses include C-2 zoning to the north—boat repair shop; R1-AM zoning to the south and west—single-family residences and mobile homes; and R1-A zoning to the east, across Hwy 90—single-family residences.

Planning & Zoning received one call from a neighbor inquiring about the height of the proposed accessory structure. The neighbor was concerned the proposed accessory structure would obstruct views from their driveway connecting to Norman Ln.

The Planning Department generally recommends approval of a Special Permit when it meets a majority of eight evaluation criteria. The applicant's request meets the following criteria:

Criterion a reviews compatibility with the future land use plan, which recommends general recommends General Commercial with adjacent Moderate Density Residential. This SPU complies with the FLUM.

Criterion b reviews compatibility with the existing neighborhood. While a metal shop is not a typical use found directly adjacent to a residential zone, Max & Company has operated for several years and with minimal known complaints by neighbors.

Criterion c seeks to minimize impacts from incompatible or overly intense uses. The applicant is requesting a SPU to be in compliance with the zoning ordinance for business activities that presently exist.

Criteria d & f seek to minimize traffic congestion and provide for safe, convenient vehicular and pedestrian movement. As the site already is developed with a commercial structure that currently provides parking, it is unlikely that traffic congestion will occur.

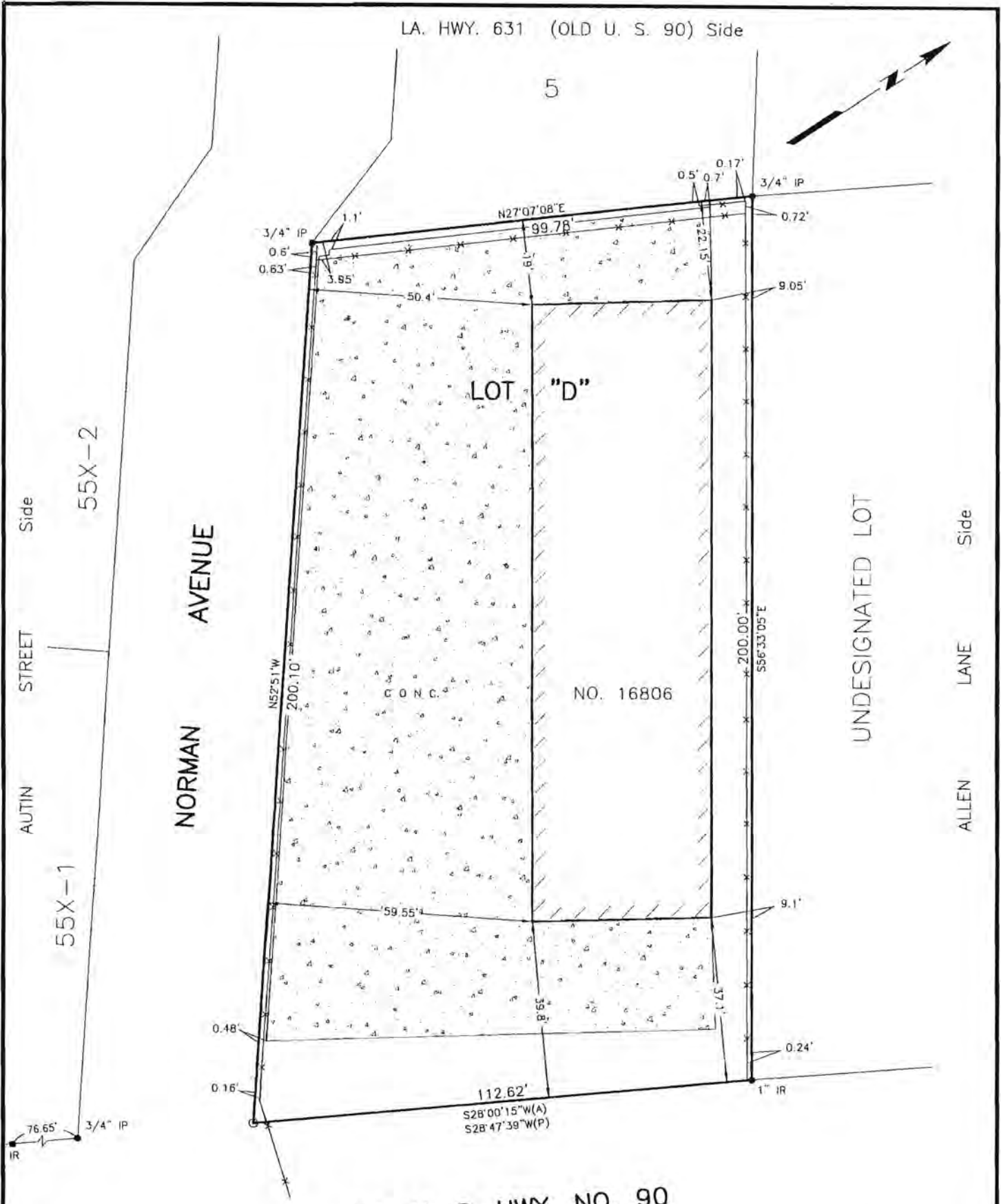
Criterion e seeks to prevent hazards like noise, flooding, and glare. Any further site development will have to be permitted through the commercial building permit process which requires plans approvals of the Building Official, State Fire Marshal, Planning section, Parish Engineer (drainage). Potential flood and fire hazards are generally mitigated through these plans reviews and the permit process. The business is not likely to generate additional noise other than vehicles entering and exiting the site.

Criterion h seeks to minimize impacts of intense uses and to provide a means to make conditions on a Special Permit to minimize any impacts.

DEPARTMENTAL RECOMMENDATIONS

Approval with the following stipulations:

- ◆ **Variances are obtained for front setback, landscaping, and buffer requirements**
- ◆ **Accessory building height is within 1-2 ft of existing rear fence height as to not obstruct views of neighboring properties**
- ◆ **No excessive noise is generated from continued metal operations**



LA. U. S. HWY. NO. 90

SURVEY OF LOT "D"
SUBDIVISION OF A PORTION OF LOT 55 OF
THE "COTEAU DE FRANCE OR RANSON TRACT"
IN SECTION 39, T14S - R20E
ST. CHARLES PARISH, LOUISIANA

SCALE: 1" = 30' APRIL 27, 2009

- LEGEND**
- = IRON FOUND
 - = IR SET
 - X— FENCE
 - (A) = ACTUAL
 - (P) = PLAN
- BEARINGS ARE BASED ON SUBDIVISION PLAN

- REFERENCE PLAN:**
1. SUBDIVISION OF A PORTION OF LOT 55 OF THE "COTEAU DE FRANCE OR RANSON TRACT" BY E. M. COLLIER, DATED SEPT. 16, 1969
 2. RESUBDIVISION OF LOT 55X, BEING A PORTION OF LOT 55 OF THE "COTEAU DE FRANCE OR RANSON TRACT" BY LUCIEN C. GASSEN, DATED AUGUST 9, 2000, REVISED OCTOBER 3, 2000

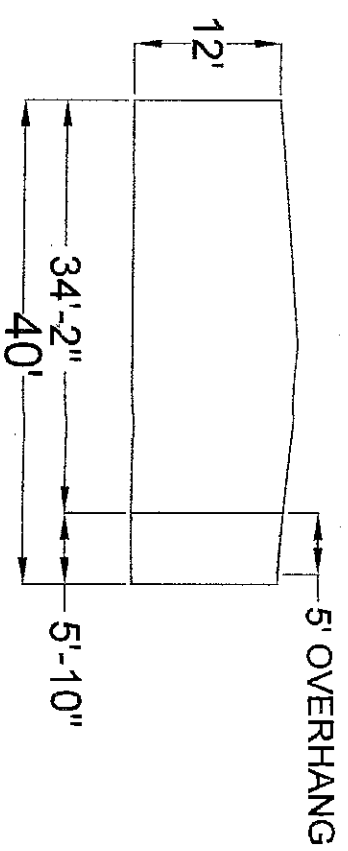
CERTIFIED TO MILLENNIUM INDUSTRIAL SERVICES, INC.

The subdivision plat shows no servitudes and no information regarding servitudes was furnished by the owner or his agent. No further research regarding servitudes was performed for this survey.

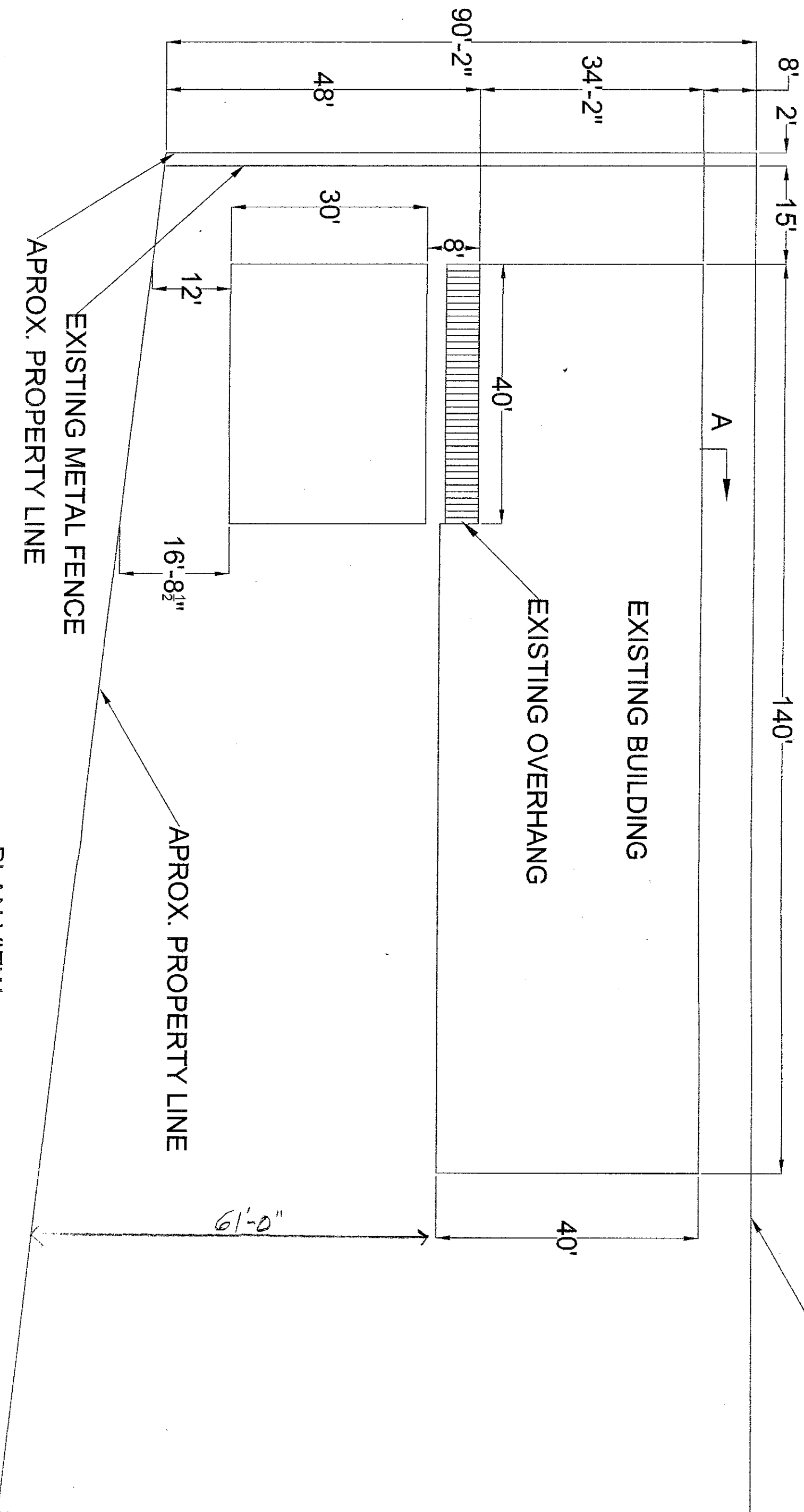
This is to certify that I have consulted the Flood Insurance Rate Maps and found that this property is in Zone X.

I certify that this plat represents an actual ground survey performed under my supervision and is in accordance with the Louisiana standards of practice for a Class C survey.

LUCIEN C. GASSEN, PLS
 Registration No. 353
 LULING, LOUISIANA 70070



ELEVATION VIEW
AT AA



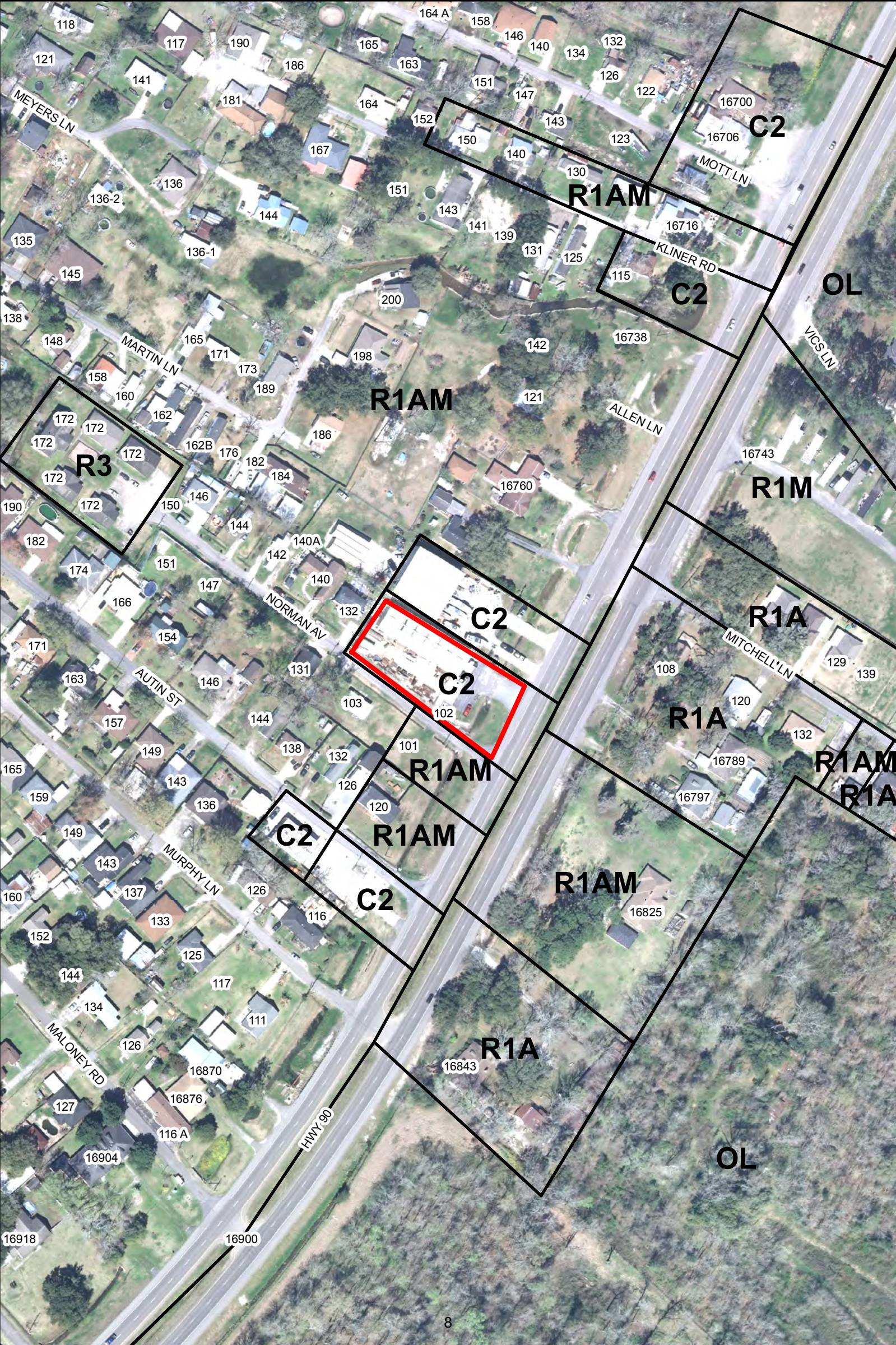
PLAN VIEW

HWY. 90 WEST









St. Charles Parish

Department of Planning & Zoning

LAND USE REPORT

CASE NUMBER: PZS-2015-22

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant:** William Woodruff, III
PO Box 295
Luling, La 70047
985.688.0955
Bwoodruff@stcharlesgov.net
- Application Date:** 4/28/2015
- ◆ **Location of Site:**
Lots 11-A & 11-B of Square 302, Ellington Addition to the Town of Luling, 410 & 408 First Street, Luling.
- ◆ **Requested Action:**
Resubdivision: side line adjustment with a waiver from the required 6,000 square foot area for proposed Lot 11-B1 (to 3,529 square feet and also for proposed lot 11-A1 (5,427 square feet).

SITE-SPECIFIC INFORMATION

- ◆ **Plan 2030 Recommendations:**
Low density residential (from 4-8 dwellings per gross acre)
- ◆ **Zoning and Land Use:**
The lots are zoned R-1A; each is developed with a single-family house. Currently, Lot 11-B uses a portion of Lot 11-A for one passenger vehicle parking spot.
- ◆ **Surrounding Land Uses and Zoning:**
On the north, west, and south, the property is surrounded by R-1A zoning and single-family houses of various sizes on various-sized lots. To the east, Monsanto Park is zoned O-L.
- ◆ **Utilities:**
Standard utilities are available to each lot.
- ◆ **Traffic Access:**
Both lots are designed to provide vehicular access from First Street.

APPLICABLE REGULATIONS

Subdivision Ordinance, Section II. Subdivision Procedure

B. Administrative Resubdivisions. In instances where no net increase of lots is proposed, and five (5) or fewer lots are proposed, and no public improvements are required, the Parish President and the Director of Planning and Zoning may certify and thereby approve or disapprove such applications for subdivisions without public notice, public hearing, Commission approval, or Council approval, provided that the proposal is in compliance with relevant land use regulations including the St. Charles Parish Zoning Ordinance and Subdivision Regulations, as amended. The resubdivision plan for such a resubdivision shall meet the criteria listed in Section II.C.3. This authority shall not exceed the limits herein.

Zoning ordinance, section VI. B. I. 2.

2. Spatial Requirements:

- a. Minimum lot size: Six thousand (6,000) square feet per family; minimum width—sixty (60) feet
- b. Minimum yard sizes:
 - (1) Front—Twenty (20) feet
 - (2) Side—Five (5) feet
 - (3) Rear—Twenty (20) feet

Subdivision Ordinance, Section II. Subdivision Procedure

E. Preliminary Plat Requirements. 4. C Waiver or Modification of Specific Subdivision Regulations

The regulations contained herein may be varied or modified where the literal enforcement of one or more provisions of the ordinance (i) is impracticable, or (ii) will exact undue hardship because of peculiar conditions pertaining to the land in question. Financial hardships shall not be considered as valid criteria for any such waiver or modification of existing regulations. The Planning Commission, with a supporting resolution of the Council, may grant such a

waiver or modification of these regulations only when such requests meet the conditions of this subsection and are not detrimental to the public interest.

ANALYSIS

The applicant requests a side line adjustment between two lots in an R-1A zoning district with waivers from the minimum 6,000 square foot area: a 2471 square foot waiver for proposed Lot 11-B1 and a 573 square foot waiver for proposed Lot 11-A-1. Each lot has a house—the main house built one built around 1953 The lots were created in 1991 by a resubdivision with a *variance* from the required 6,000 square foot area to 2,650 square feet for Lot 11-B (PZS 91-24; ZBA 91-12). An addition extending the house to 5’ from the eastern property line was permitted that year (project 8055-91).

The requested adjustment will add 20’ of eastern side yard to the proposed Lot 11-B1 where the only vehicle parking spot on the lot exists. That is to say the parking for the house numbered 408 First Street is actually located on the adjacent property. The proposed lot line adjustment will correct this problem.

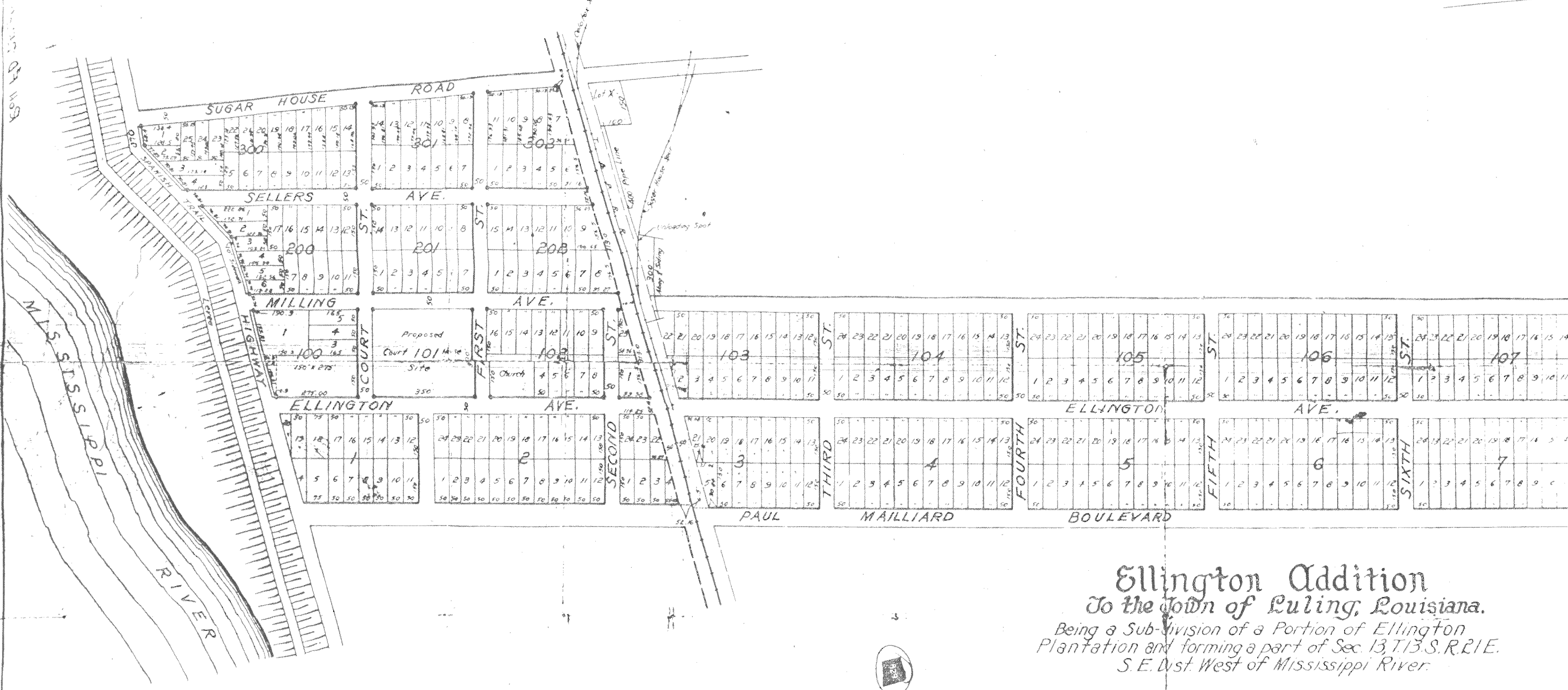
A plat of Ellington Addition to the town of Luling (July 14, 1921; revised January 15, 1925) shows 13 blocks in the area bounded by Paul Maillard Road, River Road, Sugarhouse Road, and the Union Pacific Railroad. The blocks are squared where possible and divided into lots oriented with 50’ of frontage on north/south streets by 150’ deep; however, most of the blocks have at least one irregular side due to the cross-cutting effects of River Road, Sugar House Road and the railroad. The neighborhood consists of predominantly site-built single-family houses, raised on lots that have varying widths/areas and yards.

The subject lots were originally created from Lot 11 of Square 302 which was approximately 180’ wide on First Street. Because of the skew of Sugarhouse Road, Lot 11 had 30’ more width than any other lot of First Street (except the proposed Courthouse site, which was a 350’ x 350’ lot). Two houses were built on this width prior to the 1981 subdivision ordinance, and the proposed subdivision requests readjusting the side lot line in order create two lots that each contains a house, and accessory building, and area required for parking.

DEPARTMENTAL RECOMMENDATION

Approval with the required waivers for each lot.

100



Ellington Addition
To the Town of Euling, Louisiana.
Being a Sub-division of a Portion of Ellington
Plantation and forming a part of Sec. 13, T.13 S. R. 21 E.
S. E. Dist. West of Mississippi River.

• Denotes Iron Pipes

Civil Engineer
New Orleans, La., July 14, 1921.
Rev. Jan. 30, 1923.
Rev. 15, 1925.



VICINITY MAP
SCALE: 1" = 2000'

APPROVALS

St. Charles Parish Planning and Zoning
Commission Chairman _____ Date _____

St. Charles Parish Council Chairman _____ Date _____

St. Charles Parish President _____ Date _____

REFERENCE PLAN:
RESUBDIVISION OF LOT 11, SQUARE 302
ELLINGTON ADDITION TO THE TOWN OF LULING
BEING A SUBDIVISION OF A PORTION OF
ELLINGTON PLANTATION INTO LOTS 11-A &
11-B BY LUCIEN C. GASSEN, DATED AUGUST
5, 1991

The reference plot shows no servitudes
and no information regarding servitudes
was furnished by the owner or his agent.
No further research regarding servitudes
was performed for this survey.

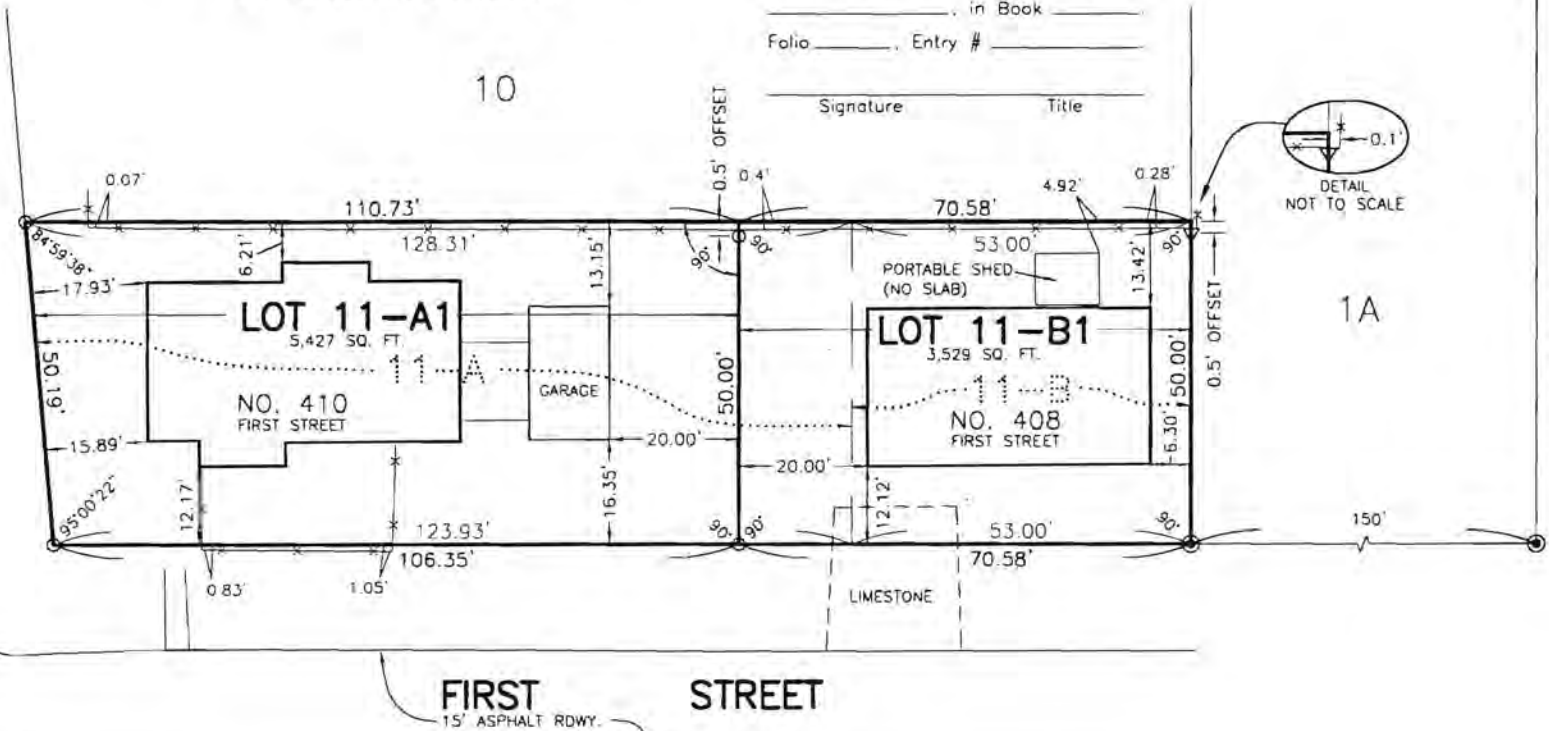
This is to certify that I have consulted
the Flood Insurance Rate Maps and found
that this property is in Zone X.

LEGEND

- = 1/2" IP IN CONC. FOUND
- = 1/2" IRON ROD SET
- ▽ = 60d NAIL SET
- *— FENCE

SUGAR HOUSE ROAD
18.5' ASPHALT RDWY

UNION PACIFIC RAILROAD Side
(Formerly TEXAS & PACIFIC RAILROAD)



RESUBDIVISION OF LOTS 11-A & 11-B, SQUARE 302
ELLINGTON ADDITION TO THE TOWN OF LULING
BEING A SUBDIVISION OF A PORTION
OF ELLINGTON PLANTATION
INTO LOTS 11-A1 & 11-B1
IN SECTIONS 13, 14 & 15, T13S - R21E
ST. CHARLES PARISH, LOUISIANA
SCALE: 1" = 30' APRIL 16, 2015

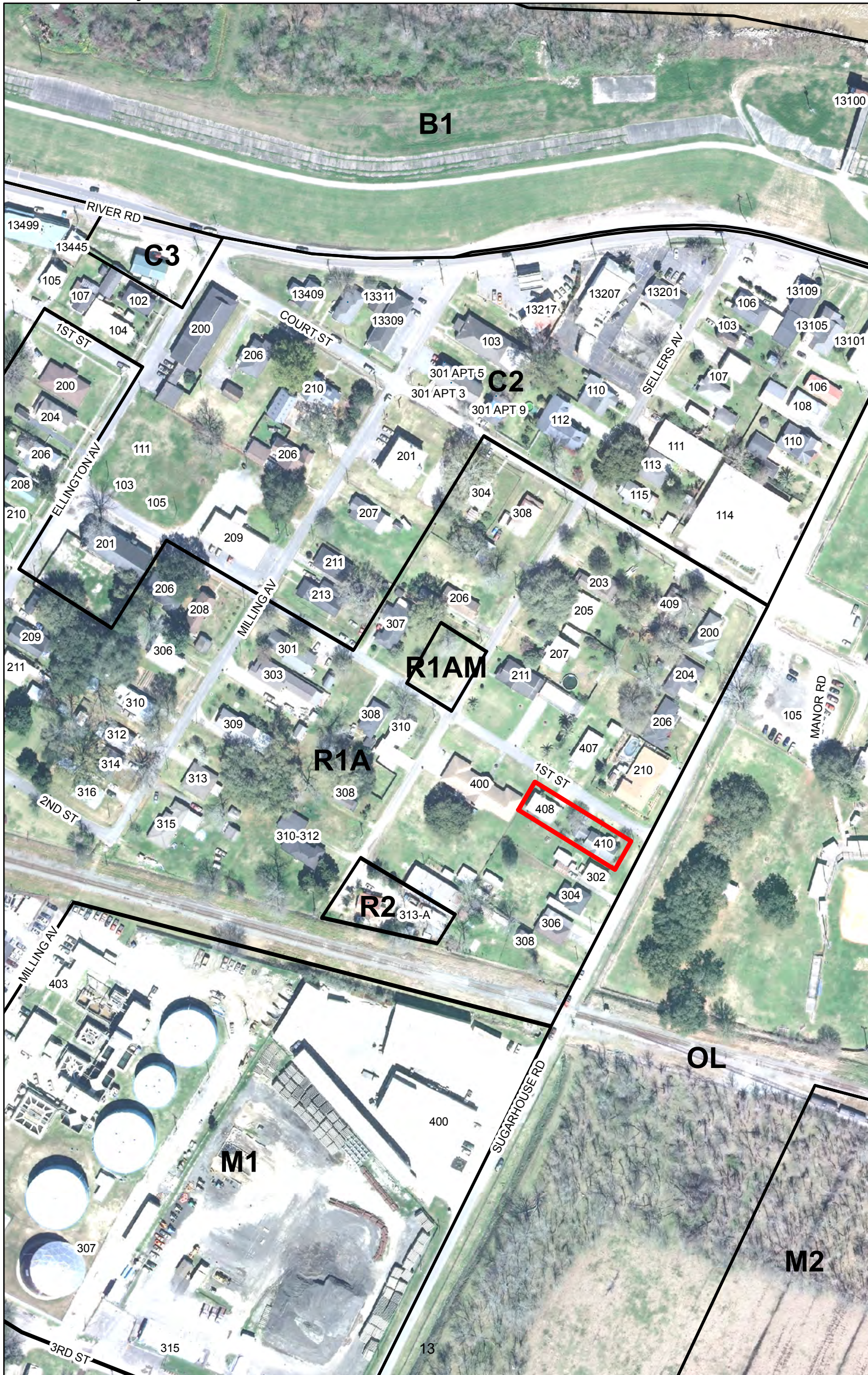
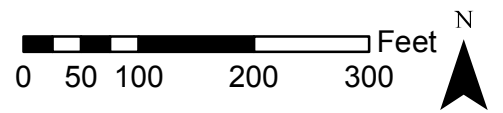
CERTIFIED TO WILLIAM C. WOODRUFF III

NOTE:
ALL NECESSARY SEWER, WATER AND/OR
OTHER UTILITY EXTENSIONS, RELOCATIONS
OR MODIFICATIONS SHALL BE MADE BY
AND SOLELY AT THE LOT OWNER'S
EXPENSE.

I certify that this plat represents an actual
ground survey performed under my supervision
and is in accordance with the Louisiana
standards of practice for a Class C survey.

Lucien C. Gassen
LUCIEN C. GASSEN, PLS
Registration No. 353
(985) 785-0745
1026 Gassen Street
Luling, Louisiana 70070

For a lot line adjustment with waivers to area



St. Charles Parish

Department of Planning & Zoning

LAND USE REPORT

CASE NUMBER: PZS-2015-23

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicants:** Application Date: 5/4/15
Diahann L. Dufresne
328 Barton Ave
Luling LA 70070
985.212.1809
barton0211@yahoo.com
- ◆ **Location of Site:**
13561 River Road, Luling
- ◆ **Requested Action:**
Resubdivision of Portion of Property Abutting Gassen Subdivision as Described in Acts of Sale From Robert Gueno to Joseph D. Dufresne into Lots D-1 & D-2, with a waiver to hard surface frontage for Lot D-2

SITE-SPECIFIC INFORMATION

- ◆ **Size of Parcel:**
Approx 20,357 square feet, plus Batture
- ◆ **Plan 2030 Recommendation:**
Consistent with the Future Land Use Map designation:
Commercial for Lot D-1,
Low Density Residential for Lot D-2,
Riverfront Commercial for the Batture portion
- ◆ **Zoning and Land Use:**
C-2 & R-1A zoning, mobile home to rear of site on proposed Lot D-2.
- ◆ **Surrounding Land Uses and Zoning:**
C-3 and R-1A zoning & land use abuts upriver side; C-1 zoning and land use abuts downriver side.
- ◆ **Utilities:**
All utilities serve site
- ◆ **Traffic Access:**
River Road

APPLICABLE REGULATIONS

Subdivision Ordinance, Section II. Subdivision Procedure E. 4.

C. Minor Resubdivisions.

In instances where a net increase of five (5) or fewer lots is proposed by subdivision or resubdivision and no new or additional public improvements are required, no formal preliminary plat shall be required. However, the presented plan of resubdivision shall conform to requirements outlined in section II.C.3. of this section and shall have spaces provided for the signature of the Council Chairman and the Parish President. Approval requires a recommendation to the Council by the Planning & Zoning Commission, an ordinance by the Council, and certification by the Parish President. The proposal shall be in compliance with all relevant land use regulations, including the St. Charles Parish Zoning Ordinance and Subdivision Regulations, as amended. This authority shall not exceed the limits herein.

Subdivision Ordinance, Section II. Subdivision Procedure, C. Minor Resubdivisions.

1. In instances where a net increase of five (5) or fewer lots is proposed by subdivision or resubdivision and no new or additional public improvements are required, no formal preliminary plat shall be required. However, the presented plan of resubdivision shall conform to requirements outlined in section II.C.3. of this section and shall have spaces provided for the signature of the Council Chairman and the Parish President. Approval requires a recommendation to the Council by the Planning and Zoning Commission, an ordinance by the Council, and certification by the Parish President. The proposal shall be in compliance with all relevant land use regulations, including the St.

ANALYSIS

This request seeks to subdivide a tract of land that extends approximately 310 feet from the land side of River Road and to the water’s edge on the Mississippi River side. The site has three zoning designations: R-1A, C-2, and B-1. The rearmost portion is the R-1A portion on which a “grandfathered” mobile home is situated. Proposed Lot D-2 will create a land-locked lot from the R-1A portion on which the mobile home occupies. Proposed Lot D-1 is the portion of the site zoned C-2 and fronts River Road. A 15-foot Right of Passage to Lot D-2 is indicated on the submitted plat. The remainder of the lot extending across River Road to the River’s edge is the Batture portion. It is zoned B-1 and the applicants intend to sell it off.

Because Lot D-2 is land-locked, it does not meet the minimum standards of the Subdivision Ordinance. Thus, resubdivision approval will require a waiver from the Commission and Supporting Resolution from the Council. But approving this lot is consistent with the Future Land Use Map designation for *Low-density Residential*.

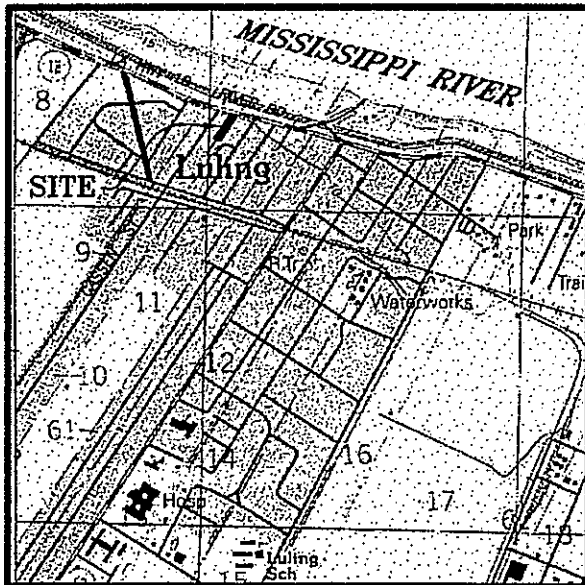
Proposed Lot D-1 will create a vacant lot that abuts commercial uses on both sides. The Future Land Use Map recommendation for this proposed lot is for *Commercial*. However, the applicant has also submitted a special permit use application to allow a residential use there. The lot meets the minimum frontage and area requirements for C-2 zoning.

Although approval of this application requires a waiver for Lot D-2, the fact that an access servitude is indicated on the plat ensures that this lot will always have access from River Road. Approval also eliminates split-zoning; each lot will have single zoning designations.

During review of the application, it was determined that the utility connections from River Road to the mobile home needed to be located so that they can be denoted on a revised survey. Also, the Batture portion needed to be denoted as a separate lot instead of how the submitted survey indicates it. The applicant was contacted to inform her of these needed revisions but as of this report the revised plats have not been submitted. Thus, this application is deficient.

DEPARTMENTAL RECOMMENDATION

Table the application until an approved revised survey is submitted.



VICINITY MAP
SCALE: 1" = 2000'

Approved/Disapproved

St. Charles Parish Planning Commission Chairman

DATE

Approved/Disapproved

St. Charles Parish President

DATE

Recorded in The Clerk of Court's office

St. Charles Parish on the ____ day of

____, in Book ____

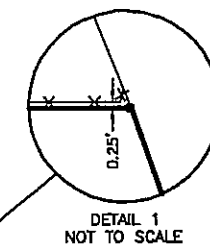
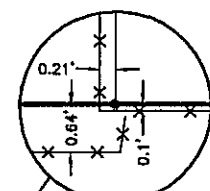
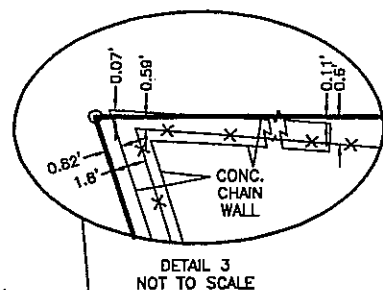
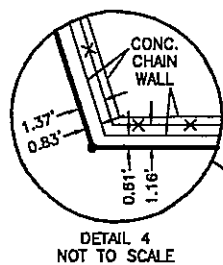
Folio ____, Entry # ____

Signature Title

NOTE:
ALL NECESSARY SEWER, WATER AND/OR
OTHER UTILITY EXTENSIONS, RELOCATIONS
OR MODIFICATIONS SHALL BE MADE BY
AND SOLELY AT THE LOT OWNER'S
EXPENSE.



NOTE:
THIS PROPERTY CORNER SET ON
EASTERLY PROPERTY OF GASSEN
SUBDIVISION AT APPARENT LINE
OF POSSESSION BASED ON
EXISTING FENCE & CHAINWALL



- REFERENCE PLANS:
1. GASSEN SUBDIVISION BY E. M. COLLIER, DATED AUG. 14, 1953
 2. PARTITION OF A TRACT OF LAND LOCATED IN SECTION 10, T13S R21E AT LULING BY R. P. BERNARD, DATED MARCH 5, 1976
 3. SURVEY OF PLOTS "B", "C" & "D" OF THE NOE ZERINGUE TRACT BY R. P. BERNARD, DATED MARCH 23, 1982
 4. SURVEY OF A PARCEL OF LAND LOCATED IN SECTIONS 10 & 11, T13S R21E BY R. P. BERNARD, DATED NOVEMBER 30, 1982
 5. SURVEY OF A PARCEL OF LAND LOCATED IN SECTIONS 10 & 11, T13S R21E, AT THE INTERSECTION OF RIVER ROAD, LA. HWY. 18 AND LUSSAN LANE BY R. P. BERNARD, DATED DECEMBER 27, 1983
 6. RESUBDIVISION OF LOTS 1 & 2, BLOCK 1 GASSEN SUBDIVISION BY LUCIEN C. GASSEN, DATED NOVEMBER 30, 2001

The servitudes shown on this survey are limited to those set forth per information furnished by the owner or his agent and there is no representation that all applicable servitudes are shown hereon. No title search or public record search was made in compiling data for this survey.

This is to certify that I have consulted the Flood Insurance Rate Maps and found that this property is in Zone X.

LEGEND

- = FOUND
- = 1/2" IRON ROD SET
- IP = IRON PIPE
- IR = IRON ROD
- GW = GUY WIRE
- PP = POWER POLE
- = FENCE

BEARINGS SHOWN HEREON
ARE BASED ON THE LOUISIANA
STATE PLANE COORDINATE
SYSTEM, SOUTH ZONE, NAD83
(2011) ESTABLISHED BY USING
LOUISIANA STATE UNIVERSITY'S
C4G REAL TIME NETWORK.

RESUBDIVISION OF A PORTION OF PROPERTY
ABUTTING GASSEN SUBDIVISION
AS DESCRIBED IN ACTS OF SALE FROM
ROBERT P. GUENO TO JOSEPH D. DUFRESNE
RECORDED IN COB 441, FOLIO 802

AND COB 423, FOLIO 326
INTO LOTS D-1 & D-2
IN SECTION 10, T13S - R21E
ST. CHARLES PARISH, LOUISIANA

SCALE: 1" = 40' MARCH 24, 2015

CERTIFIED TO STEVEN M. DUFRESNE AND DIAHANN L. DUFRESNE

GASSEN STREET

GASSEN SUBD.

1A

LOT D-2

10,968.24 SQ. FT.

LOT D-1

9,388.61 SQ. FT.

SCHOOL STREET

15' RIGHT OF PASSAGE

LA. HWY. NO. 18 (RIVER ROAD)

BATTURE

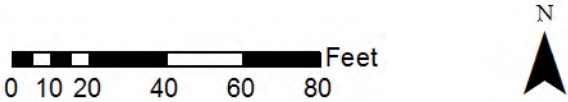
LUSSAN LANE Side



I certify that this plat represents an actual
ground survey performed under my supervision
and is in accordance with the Louisiana
standards of practice for a Class C survey.

LUCIEN C. GASSEN, PLS
Registration No. 353
(985) 785-0745
1026 Gassen Street
Luling, Louisiana 70070

PZS-2015-23
Requested by: Diahann Dufresne
Resub into Batture and Lots D-1 & D-2



St. Charles Parish

Department of Planning & Zoning

LAND USE REPORT

CASE NUMBER: PZSPU-2015-14

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicants:** **Application Date:** 5/4/15
Diahann L. Dufresne
328 Barton Ave
Luling LA 70070
985.212.1809
barton0211@yahoo.com
- ◆ **Location of Site:**
13561 River Road, Luling
- ◆ **Requested Action:**
Residential use in C-2 on Lot D-1.

SITE-SPECIFIC INFORMATION

- ◆ **Size of Parcel:**
9,388.61 sq. ft.
- ◆ **Plan 2030 Recommendation:**
Commercial.
- ◆ **Zoning and Land Use:**
C-2 & R-1A zoning, mobile home to rear of site, C-2 use on upriver side, C-1 use downriver side.
- ◆ **Surrounding Land Uses and Zoning:**
C-3 and R-1A zoning & land use abuts upriver side; C-1 zoning and land use abuts downriver side.
- ◆ **Utilities:**
All utilities serve site
- ◆ **Traffic Access:**
River Road

APPLICABLE REGULATIONS

Appendix A. Section [VI.].C.III C-2 General commercial district

1. Use Regulations:

- c. Special permit uses and structures include the following:
 - (1) R-1A and R-1B uses upon approval by the Planning Commission.

AND:

Appendix A, Section IV. 9.: Review and evaluation criteria/special permit use and special exception use: The appropriate decision-making agent and/or body shall review and evaluate each application based upon the following relevant criteria:

- a. Comparison with applicable standards established by the Comprehensive Land Use Plan as applied to the proposed use and site.
- b. Compatibility with existing or permitted uses on abutting sites, in terms of building construction, site development, and transportation related features.
- c. Potentially unfavorable effects or impact on other existing conforming or permitted uses on abutting sites, to the extent such impacts exceed those impacts expected from a standard permitted use in the applicable zoning district.
- d. Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonable and anticipated in the area considering existing zoning and uses in the area.
- e. Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.
- f. Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.

- g. Conformity with the objectives of these regulations and the general purposes of the zone in which the site is located.
 - h. That any conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed use with existing or permitted uses in the same district and the surrounding area.
- The above criteria listed in a—g is to be considered illustrative and not restrictive, and other criteria may be considered although not specifically listed above if said criteria affects [affect] the general welfare and safety of the public at large.

ANALYSIS

Proposed Lot D-1 is vacant, fronts on River Road, and abuts proposed Lot D-2 on which a legally non-conforming mobile home is located. This special permit use application would allow a house to be built on a lot zoned C-1 (light commercial) that well exceeds the minimum required lot area for a single-family residential use.

However, approving the site for residential use does not meet criteria a because it will conflict with the Future Land Use Map recommendation for *Commercial*. The site also abuts commercial zoning and land uses on both sides. Allowing a residential use there would make it incompatible with the existing, permitted uses on the abutting sites, meaning it does not meet criteria b.

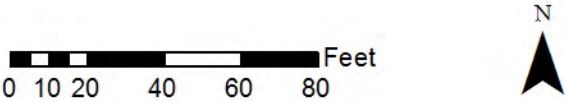
A potential exists for future residents occupying proposed D-1 will consider the neighboring **conforming** commercial uses to be detrimental to their quality of life. Approval also has the potential for exposing the neighboring commercial owners to complaints made by those residential occupants due to the impacts generated from day to day operations, including but not limited to water or fire damage, or noise or glare. This will potentially have unfavorable effects or impacts on their existing conforming, permitted uses, meaning criteria c and criteria e are not met.

The entire River Road corridor from I-310 to Paul Maillard Road has commercial zoning and the majority of the land uses are commercial as well. Approval of this request would break up the commercial land use trend and effectively allow a spot of residential land use right in the middle of the corridor. This would not conform with criteria g, the objectives of these regulations and the general purposes of the zone in which the site is located.

DEPARTMENTAL RECOMMENDATION

Denial.

PZSPU-2015-14
Requested by: Diahann Dufresne
Residential Use on Lot Zoned C-2



St. Charles Parish

Department of Planning & Zoning

LAND USE REPORT

CASE NUMBER: PZS-2015-24

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicants:** **Application Date:** 5/4/15
Justin & Heather Loupe
110 Rogers Lane
Des Allemands LA 70030
985.306.0193
Elaine Naranjo
702 S Fashion Blvd
Hahnville LA 70057
504.259.6870
- ◆ **Location of Site:**
700 & 702 S Fashion Blvd (Lots 307 & 308).
- ◆ **Requested Action:**
Revocation of 60-foot access to resubdivide with Lots 307 & 308 into Lots 307A & 308A.

SITE-SPECIFIC INFORMATION

- ◆ **Size of Parcel:**
Lot 307: 9,300 sq. ft.
60-ft Row: 7,400 sq. ft.
Lot 308: approx. 12,000 sq. ft.
- ◆ **Plan 2030 Recommendation:**
Mixed Residential.
- ◆ **Zoning and Land Use:**
R-1A zoning and land use
- ◆ **Surrounding Land Uses and Zoning:**
R-1A land uses and zoning; with a neighborhood park abutting rear of site.
- ◆ **Utilities:**
All utilities serve site
- ◆ **Traffic Access:**
S. Fashion Blvd fronts lots and row; Lot 307 also fronts on Gen. Lee Dr.

APPLICABLE REGULATIONS

Subdivision Ordinance, Section II. Subdivision Procedure E. 4.

C. Minor Resubdivisions.

In instances where a net increase of five (5) or fewer lots is proposed by subdivision or resubdivision and no new or additional public improvements are required, no formal preliminary plat shall be required. However, the presented plan of resubdivision shall conform to requirements outlined in section II.C.3. of this section and shall have spaces provided for the signature of the Council Chairman and the Parish President. Approval requires a recommendation to the Council by the Planning & Zoning Commission, an ordinance by the Council, and certification by the Parish President. The proposal shall be in compliance with all relevant land use regulations, including the St. Charles Parish Zoning Ordinance and Subdivision Regulations, as amended. This authority shall not exceed the limits herein.

St. Charles Parish Code of Ordinances. Chapter 2.

Sec. 2-4. Procedure to dedicate, or revoke dedication of street, canal, etc.

- (a) A formal act of dedication shall be filed by any person requesting the parish council to accept for maintenance streets and drainage using the following format:
- (1) The act shall state the name of the person dedicating the street or drainage.
 - (2) The act shall contain a description of the property in which the street or drainage is located.
 - (3) The act shall state the name of the street, the width and length to be accepted.
 - (4) All drainage ditches shall be properly marked with widths shown. The dedication shall spell out the width and length of each ditch.
 - (5) Two (2) updated maps shall be submitted to accompany each act of dedication. These maps shall give a description of the area including section, tract and range lines; name of subdivision, if applicable; date; civil engineer or surveyor; title; north point of compass and scale of map.

- (b) Prior to a request for the parish to assume for maintenance any street or drainage, it shall be necessary for the parish engineers to certify that the street or drainage meets parish specifications.
 - (c) Acts of revocation on streets, drainage ditches or canals shall contain the same information as requested for acts of dedication **and shall be accompanied by the submission of a subdivision plan** which shall be executed through the local subdivision process, formally incorporating revoked properties into adjacent parcels.
- (Code 1970, § 17-01; Ord. No. 93-12-4, § I, 12-6-93)

ANALYSIS

Lot 307 of Fashion Plantation Estates, Phase II, approved in 2002, was set aside by the developer for donation to the Hahnville Volunteer Fire Department (HVFD) for a future fire station. The lot has 3 fronts: 124-feet along General Lee Drive, 124-feet along the right-of-way directly on the opposite side, and 75-feet along South Fashion Boulevard. Ultimately, the HVFD did not accept the lot donation and the developer sold it to one of the applicants. Although the lot is smaller than most of the lots in the subdivision, it exceeds frontage and area requirements for R-1A zoning. But because there are 3 fronts, a house constructed on it will have to meet 3 front setbacks, which could present a challenge. If the 60-foot right-of-way were revoked, 30-feet of it would be added to this lot and increase the frontage along South Fashion Boulevard to 105-feet. Lot 308 would increase its width along the Boulevard from 90.54-feet to 120.54-feet.

There are several concerns that the Department has about revoking this parish-owned right-of-way. First, there is a 10-foot utility servitude located on the Lot 308 side of the right-of-way within which it needs to be determined if electric, gas, telephone, or cable lines are buried within. The servitude needs to be relocated along the 307 lot line and the buried lines, if any, need to be relocated there as well. Otherwise, the resulting proposed Lot 308A will have the servitude running through the middle of it instead of along its lot line.

Second, it also needs to be determined if there are any other lines buried anywhere within the 60-foot right-of-way. These could include parish-owned or the aforementioned public utility-owned. If there are any such lines, these will have to be relocated. The applicant has contacted Louisiana One Call so that this is ascertained.

Of greatest concern is the fact that the right-of-way is currently used to access the park, both for parking cars and for Parks and Recreation to bring lawn mowing equipment to. The Park also fronts along General Lee Drive beside an open ditch. So if the right-of-way is revoked, all parking for and access to the Park will be along General Lee Drive, meaning a culvert will need to be installed so that interior access to the park can extend from there. The Department recommends that a condition for approval of the revocation be that a culvert be installed along General Lee Drive at the expense of the owners of Lots 307 & 308. This is a reasonable condition when considering that these citizens will be acquiring over 3,000 square feet of free land from the Parish.

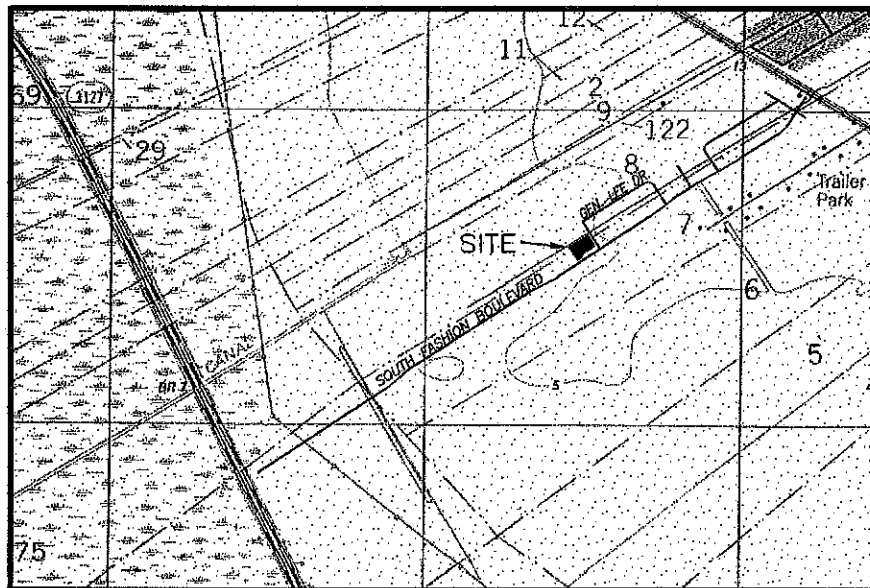
As per requirements, the Department wrote memos to the Directors of Public Works & Wastewater and Waterworks to ascertain whether the right of way is needed. The Department is in receipt of a memo of no objection from Waterworks but not from Public Works.

Both proposed lots will exceed the requirements of the Subdivision and Zoning Ordinances, including minimum frontage and lot sizes. The Department sees no negative impacts to approval of this revocation and resubdivision. Access to the recreation area will be maintained via General Lee Drive, so revocation of the 60-foot right of way will not eliminate all access to the park.

DEPARTMENTAL RECOMMENDATION

Approval with the following condition:

Previous to revocation of the 60-foot access extending from South Fashion Boulevard and along Lots 307 & 308, that a culvert in the ditch along General Lee Drive for access to the Park is installed at the expense of the owners of Lots 307 & 308, South Fashion Phase II Subdivision.



VICINITY MAP
SCALE: 1" = 2000'

APPROVALS

St. Charles Parish Planning and Zoning
Commission Chairman

Date

St. Charles Parish Council Chairman

Date

St. Charles Parish President

Date

Recorded in The Clerk of Court's office

St. Charles Parish on the _____ day of _____

in Book _____

Folio _____, Entry # _____

Signature

Title

NOTE:
ALL NECESSARY SEWER, WATER AND/OR
OTHER UTILITY EXTENSIONS, RELOCATIONS
OR MODIFICATIONS SHALL BE MADE BY AND
SOLELY AT THE LOT OWNER'S EXPENSE.

306 (NOT A PART)
RECREATION AREA

LA. HWY. 3127 Side

100' FOR
FUTURE ROADWAY

310
(NOT A PART)

309
(NOT A PART)

NO. 702

LOT 308A
16,837.84 SQ. FT.

LOT 307A
13,027.00 SQ. FT.

GEN. LEE DRIVE

SOUTH FASHION BOULEVARD

REFERENCE PLANS:

1. FASHION PLANTATION III - FASHION ACRES AND RESUBDIVISION OF PARCELS A & B, FASHION PLANTATION ESTATES, PHASE II BY LUCIEN C. GASSEN, DATED JUNE 27, 2006
2. LOT 307 PROPOSED 10 FOOT UTILITY SERVITUDE FASHION PLANTATION ESTATES, PHASE II BY LUCIEN C. GASSEN, DATED FEBRUARY 8, 2008
3. SURVEY OF LOT 308 FASHION PLANTATION ESTATES PHASE II BY LUCIEN C. GASSEN, DATED JULY 2, 2007, REVISED JAN. 15, 2008 AND SEPT. 24, 2008

The servitudes shown on this survey are limited to those set forth per reference plans and there is no representation that all applicable servitudes are shown hereon. No title search or public record search was made in compiling data for this survey.

This is to certify that I have consulted the Flood Insurance Rate Maps and found that this property is in Zone AE.

LEGEND

- = 1/2" IRON ROD FOUND
- = 1/2" IRON ROD SET
- ▽ = MAG NAIL SET
- FH = FIRE HYDRANT
- SMH = SEWER MANHOLE
- WV = WATER VALVE
- BEARINGS ARE BASED ON SUBDIVISION PLAN

RESUBDIVISION OF LOTS 307, 308 AND A 60 FOOT ACCESS TO BE REVOKED FASHION PLANTATION ESTATES PHASE II

INTO LOTS 307A & 308A
IN SECTIONS 7 & 8, T13S - R20E
ST. CHARLES PARISH, LOUISIANA

SCALE: 1" = 40'

JANUARY 6, 2015

CERTIFIED TO FASHION PLANTATION, LLC

I certify that this plat represents an actual ground survey performed under my supervision and is in accordance with the Louisiana standards of practice for a Class C survey.

Lucien C. Gassen

LUCIEN C. GASSEN, PLS
Registration No. 353
(985) 785-0745
1026 Gassen Street
Luling, Louisiana 70070



St. Charles Parish

Department of Planning & Zoning

LAND USE REPORT

CASE NUMBER: PZR 2015-13

GENERAL APPLICATION INFORMATION

- ◆ **Application Date:** 4/27/2015
- ◆ **Name/Address of Applicant:**
CGI Holdings, LLC
PO Box 429
Kenner, LA 70063
985.785.0765
- ◆ **Location of Site:**
108 Gassen St
Luling, LA 70070
Lot 4, Block 2, Gassen Subdivision
- ◆ **Requested Action:** Rezone from R1-A to C-2 to change the existing residential lot to commercial for office use.

SITE-SPECIFIC INFORMATION

- ◆ **Existing Land Use and Zoning:** Lot 4, Block 2 of 108 Gassen St is currently occupied by a single-family residential house that fronts Gassen St. The site is located in a R1-A zoning district.
- ◆ **Surrounding Land Uses and Zoning:** Gassen St is primarily residential, however, there is a commercial node at River Rd. C-2 zoning abuts to the north and west—existing CGI office and chiropractic office. R1-A zoning abuts to the south and east of the property—single-family residences.
- ◆ **2030 Comprehensive Plan Recommendations:** The future land use map (FLUM) is not parcel specific, however, in this River Road area of Luling, the FLUM shows riverfront commercial along River Road. Paul Maillard Rd and abutting streets are shown as mixed use corridor with low density residential and residential mixed use adjacent to Paul Maillard Rd mixed-use corridor.
- ◆ **Traffic Access:** Site is accessible from Gassen St.
- ◆ **Utilities:** Standard utilities (water, sewer, drainage, electricity, gas, and telecommunications) are available to the subject site.

APPLICABLE REGULATIONS

Appendix A., Zoning Ordinance, Section XV.9:

Rezoning Guidelines and Criteria: Before the Planning & Zoning Commission recommends or the Parish Council rezones property, there should be reasonable factual proof by the proponent of a change that one or more of the following criteria are met:

1. Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the proponent's property and adjacent property. Reasonableness is defined as:
 - a. Land use the same as, or similar to that existing on properties next to, or across the street from the site under consideration.
 - b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
 - c. Consideration of changes in land value, physical environment or economic aspects, which tend to limit the usefulness of vacant land or buildings.
2. The proposed zoning change, and the potential of a resulting land use change, will comply with the general public interest and welfare and will not create:
 - a. Undue congestion of streets and traffic access.
 - b. Overcrowding of land or overburden on public facilities such as transportation, sewerage, drainage, schools, parks and other public facilities.
 - c. Land or building usage which, is, or may become incompatible with existing character or usage of the neighborhood.
 - d. An oversupply of types of land use or zoning in proportion to population, land use and public facilities in the neighborhood.
3. The proposed zoning change is in keeping with zoning law and precedent, in that:
 - a. It is not capricious or arbitrary in nature or intent.
 - b. It does not create a monopoly, or limit the value or usefulness of neighboring properties.

- c. It does not adversely affect the reliance that neighboring property owners or occupants have placed upon existing zoning patterns.
- d. It does not create a spot zone, that is, an incompatible or unrelated classification which would prevent the normal maintenance and enjoyment of adjacent properties.

AND

Section VI. C [III.] C-2 General commercial district – Retail sales:

1. Use Regulations:
 - a. A building or land shall be used for the following purposes:
 - (1) All uses allowed in C-1 District. (Ord. No. 88-5-5, 5-16-88)
 - (2) Retail sales (except auto and mobile home sales), usage, and storage
 - (3) Hotels, motels and apartment hotels
 - (4) [Repealed by Ord. No. 92-9-14, 9-8-92.]
 - (5) Restaurants (including drive-in restaurants) and cafeterias. Specific land use requirements for restaurants serving alcoholic beverages are contained in subsection III.59. of these regulations, with further details contained within Chapter 3 of the St. Charles Parish Code of Ordinances.

(Ord. No. 94-11-2, § V, 11-7-94)

 - (6) Animal hospitals where all animals are kept inside the building
 - (7) Service station
 - (8) Commercial recreation facilities
 - (9) Commercial greenhouses and nurseries
 - (10) Commercial schools
 - (11) Shops not to exceed two thousand five hundred (2,500) square feet of floor area for the repair and servicing of the following:
 - bicycles
 - radios
 - televisions
 - stereos and recorders
 - household appliances
 - locksmith
 - typewriters
 - other similar uses
 - (12) Shops not to exceed two thousand five hundred (2,500) square feet of floor area may also include the following uses:
 - dressmakers
 - millinery
 - tailors
 - baking goods sales
 - laundry and dry cleaners
 - theatres (but not the drive-in type)
 - (13) Laboratories
 - (14) Customary accessory uses incidental to the above uses when located on the same lot
 - (15) Funeral homes (provided that a petition of no objection signed by a majority of property owners within a three hundred foot radius of the site and one hundred (100) percent of the property owners on the same street within the same block be filed with the Planning Zoning Department
 - (16) Cemeteries and mausoleums, provided however that such uses shall be located on sites of at least twenty (20) acres, all graves shall be set back at least fifty (50) feet from all property lines, shall have a minimum street frontage of one hundred (100) feet and a fence or screen planting six (6) feet high shall be provided along all property lines adjoining all districts
 - Cellular/communication towers. (Ord. No. 95-9-11, 9-18-95)
 - (17) Other uses of similar intensity.
 - (18) Mini-storage facilities (limited to one-story construction in C-2 district). (Ord. No. 98-3-17, § II, 3-23-98).
 - (19) Historic home site bed and breakfast. (Ord. No. 13-7-6, § II, 7-1-13)
 - b. Special exception uses and structures include the following:
 - (1) Dwelling units contained within the office building
 - (2) Reserved
 - (3) Reserved
 - (4) Churches
 - (5) Movie theaters
 - (6) Temporary on-site construction buildings for a period of one (1) year upon approval of the Planning Director. (Ord. No. 88-9-9, 9-6-88)

(Ord. No. 85-7-17, 7-22-85)
 - c. Special permit uses and structures include the following:
 - (1) R-1A and R-1B uses upon review and approval by the Planning Commission.
 - (2) R-3 uses upon review and approval by the Planning Commission and supporting resolution of the Council.
 - (3) Office buildings for gaming operations, excluding all gaming activities, upon review and approval by the Planning Commission and supporting resolution of the Council.
 - (4) Motor vehicle repair. Automobile sales and service on designated federal and state highways; body repair activities being strictly prohibited in the C-2 zoning district.
 - (5) Heating and air conditioning service.
 - (6) Sheet metal shops
 - (7) Plumbing shops.

- (8) Green markets upon review and approval by the Planning Commission and supporting resolution of the Council. Such sites must possess frontage on a hard-surfaced public collector or arterial street.
 - (9) Bingo halls, video bingo parlors, and off-track betting establishments upon review of the planning commission and ordinance of the St. Charles Parish Council.
(Ord. No. 92-9-14, 9-8-92; Ord. No. 94-1-9, § III, 1-10-94; Ord. No. 94-6-6, § I, 6-6-94; Ord. No. 98-7-6, 7-6-98; Ord. No. 02-5-21, 5-20-02; Ord. No. 03-1-12, § III, 1-21-03; Ord. No. 07-10-10, § I, 10-15-07; Ord. No. 09-4-19, § 1, 4-20-09)
 2. Spatial Requirements:
 - a. Minimum lot size: Six thousand (6,000) square feet, minimum width - sixty (60) feet.
 - b. Minimum yard sizes:
 - (1) Front - twenty (20) feet
 - (2) Side - five (5) feet
 - (3) Rear - ten (10) feet.

(Ord. No. 82-6-6, § 1, 6-7-82)

 - (4) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, notwithstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999. (Ord. No. 08-8-9, § XI, 8-18-08)
 - 3. Transportation Requirements: Arterial
 - 4. Special Provisions:
 - a. Where any commercial use in a C-2 zoning district abuts any residential district or use, a six-foot high solid wood fence or masonry wall shall border the same and there shall be a buffer strip ten (10) feet wide designated and maintained on the site planted with plant materials acceptable for buffer zones.

(Ord. No. 82-6-9, § III, 6-7-82; Ord. No. 98-1-3, § III, 1-5-98)
 - 2. Spatial Requirements:
 - a. Minimum lot size: Seven thousand (7,000) square feet, minimum width - seventy (70) feet.
 - b. Minimum yard sizes:
 - (1) Front - twenty (20) feet
 - (2) Side - five (5) feet
 - (3) Rear - ten (10) feet
 - (4) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, notwithstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999. (Ord. No. 08-8-9, § XII, 8-18-08)

(Ord. No. 82-6-6, § 1, 6-7-82)

 - 3. Transportation System: Arterial, local industrial, rail, water.
 - 4. Special Provisions:
 - a. Where any commercial use in a C-3 zoning district abuts any residential district or use, a six-foot high solid wood fence or masonry wall shall border the same and there shall be a buffer strip ten (10) feet wide designated and maintained on the site planted with plant materials acceptable for buffer zones unless the Planning and Zoning Department shall require a greater or lesser buffer strip.

(Ord. No. 82-6-9, § III, 6-7-82; Ord. No. 98-1-3, § IV, 1-5-98)
- [V.] *Prohibited use:* Medical waste storage, treatment or disposal facilities. (Ord. No. 90-9-4, § II, 9-4-90)

ANALYSIS

The applicant requests to rezone the site from R1-A to C-2. A change to C-2 zoning would place the applicant's intended land use as an office in compliance with the Zoning Ordinance, as office is a permitted use in C-2 zoning. This rezoning would also permit property owner, CGI, to expand its footprint adjacent to its current offices.



CGI currently owns the properties directly behind and to the right of the subject property, which are zoned C-2. See zoning map—the applicant's property is indicated by a red dot. This is the third expansion of land area for CGI; Ordinance 00-11-16 rezoned Lot 8 of Square A of Luling Parkway from C-1 to C-2 to allow the main testing facility to be permitted; Ordinance 14-8-1 changed the land use zoning classification from R-1A to C-2 on Lot 3 of Block 2 of Gassen Subdivision, 106 Gassen Street.

In order to receive a recommendation for approval, a rezoning request must meet all of the criteria of at least one of three evaluation tests. As an expansion of a C-2 zone to accommodate the expansion of a successful business, the request meets all criteria of the third test.

| |
|------------------------------------|
| DEPARTMENTAL RECOMMENDATION |
|------------------------------------|

Approval.

- ◆ CGI Holdings is purchasing adjacent properties for potential future expansion of its office footprint.
- ◆ The request to rezone from R1-A to C-2 is not arbitrary as there are adjacent and functional commercial properties. Moreover, the FLUM indicates River Rd as a commercial corridor and the subject area as mixed use commercial.
- ◆ The rezone does not place new limits to the value of surrounding residential properties. The small-scale, residential character of Gassen Street is still predominantly maintained.



VICINITY MAP
SCALE: 1" = 2000'

Approved/Disapproved

St. Charles Parish Director of Planning & Zoning

Date

Approved/Disapproved

St. Charles Parish President

Date

REFERENCE PLANS:

1. GASSEN SUBDIVISION BY E. M. COLLIER, DATED AUG. 14, 1953
2. RESUBDIVISION OF LOTS 1, 2 & 3, BLOCK 2 GASSEN SUBDIVISION AND LOT 8A, SQUARE "A" LULING PARKWAY INTO LOT 1238-B BY LUCIEN C. GASSEN, DATED SEPTEMBER 19, 2014

The reference plans shows no servitudes and no information regarding servitudes was furnished by the owner or his agent. No further research regarding servitudes was performed for this survey.

This is to certify that I have consulted the Flood Insurance Rate Maps and found that this property is in Zone X.

LEGEND

- = FOUND
- O = 1/2" IRON ROD SET
- IP = IRON PIPE
- IR = IRON ROD
- GW = GUY WIRE
- PP = POWER POLE
- OH = OVERHEAD POWER LINES
- = FENCE
- BEARINGS ARE BASED ON REFERENCE PLAN NO. 2



RESUBDIVISION OF
LOT 4, BLOCK 2 GASSEN SUBDIVISION
AND LOT 1238-B OF SQUARE A LULING PARKWAY
& BLOCK 2 GASSEN SUBDIVISION
INTO LOT 1238-B-4
IN SECTIONS 8 & 9, T13S - R21E
ST. CHARLES PARISH, LOUISIANA

SCALE: 1" = 50'

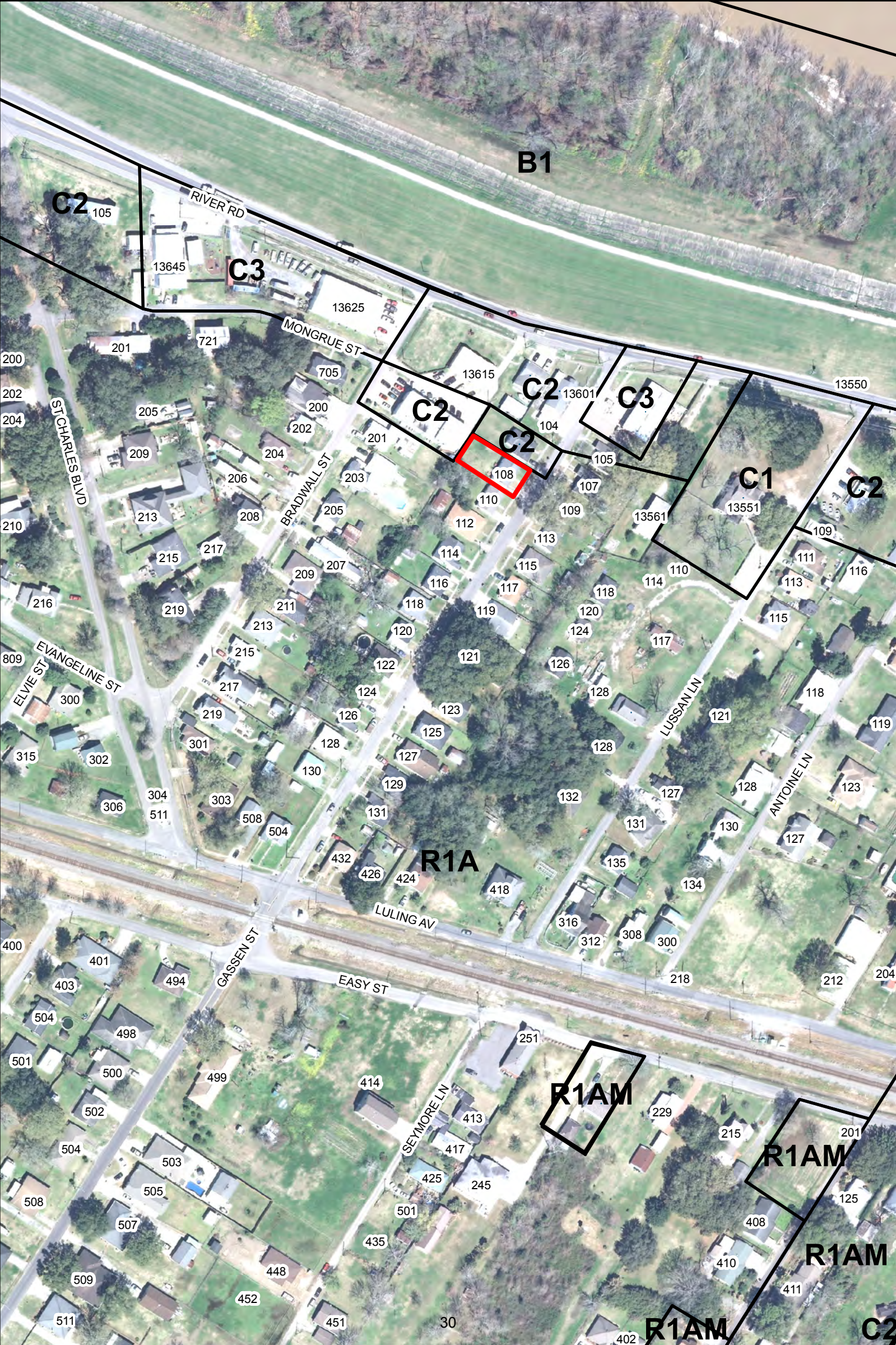
APRIL 7, 2015

CERTIFIED TO COASTAL GULF & INTERNATIONAL, INC.



PZR-2015-13
Requested by CGI Holdings, LLC
Rezone from R1-A to C-2

0 200 400 Feet



St. Charles Parish

Department of Planning & Zoning

LAND USE REPORT

CASE NUMBER: PZR 2015-14

GENERAL APPLICATION INFORMATION

◆ **Name/Address of Applicant:**

Donald James George
9606 Garden Oak Ln
River Ridge, LA 70123
504.559.8517

Application Date: 4/27/2015

◆ **Location of Site:**

14648 River Rd
New Sarpy, LA
Lots 7, 8, 9, Square D, St. Charles Terrace

◆ **Requested Action:**

Rezone from R1-A to C-3 to bring the existing auto repair shop into conformance with the Zoning Ordinance

SITE-SPECIFIC INFORMATION

◆ **Zoning and Land Use:**

Lots 7, 8, & 9 are developed with a single structure that serves as an auto repair shop. The structure fronts River Rd, but is also accessible from Terrace St. The lots are currently zoned R1-A.

◆ **Surrounding Land Uses and Zoning:**

Lots located directly adjacent to the site are zoned R1-A. Lots located south of the site, opposite Terrace St along River Rd, are zoned C-3 and C-2.

◆ **2030 Comprehensive Plan Recommendations:**

The future land use map (FLUM) is not parcel specific, however, in this River Road area of New Sarpy, the FLUM shows a small node of neighborhood commercial uses along River Road with low density residential uses between River Road and Airline Highway. As this request is to adjust a zoning district line to change zoning on less than 3 acres for a use compatible with existing adjacent uses, no amendment to the future land use map is required.

◆ **Utilities:**

Standard utilities (water, sewer, drainage, electricity, gas, and telecommunications) are available to the subject site.

◆ **Traffic Access:**

Site is accessible from River Road and Terrace Street

APPLICABLE REGULATIONS

Appendix A., Zoning Ordinance, Section XV.9:

Rezoning Guidelines and Criteria: Before the Planning & Zoning Commission recommends or the Parish Council rezones property, there should be reasonable factual proof by the proponent of a change that one or more of the following criteria are met:

1. Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the proponent's property and adjacent property. Reasonableness is defined as:
 - a. Land use the same as, or similar to that existing on properties next to, or across the street from the site under consideration.
 - b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
 - c. Consideration of changes in land value, physical environment or economic aspects, which tend to limit the usefulness of vacant land or buildings.
2. The proposed zoning change, and the potential of a resulting land use change, will comply with the general public interest and welfare and will not create:
 - a. Undue congestion of streets and traffic access.
 - b. Overcrowding of land or overburden on public facilities such as transportation, sewerage, drainage, schools, parks and other public facilities.
 - c. Land or building usage which, is, or may become incompatible with existing character or usage of the neighborhood.

- d. An oversupply of types of land use or zoning in proportion to population, land use and public facilities in the neighborhood.
- 3. The proposed zoning change is in keeping with zoning law and precedent, in that:
 - a. It is not capricious or arbitrary in nature or intent.
 - b. It does not create a monopoly, or limit the value or usefulness of neighboring properties.
 - c. It does not adversely affect the reliance that neighboring property owners or occupants have placed upon existing zoning patterns.
 - d. It does not create a spot zone, that is, an incompatible or unrelated classification which would prevent the normal maintenance and enjoyment of adjacent properties.

AND:

Section VI. C [IV.] C-3. Highway commercial district— Wholesale and retail sales:

- 1. Use Regulations:
 - a. A building or land shall be used for the following purposes.
 - (1) All uses allowed in the C-2 District. (Ord. No. 88-5-5, 5-16-88)
 - (2) Commercial auditoriums, coliseums or convention halls
 - (3) Retail manufacturing
 - (4) Motor vehicle sales and service
 - (5) Wholesale uses
 - (6) Warehouses (less than 10,000 sq. ft.)
 - (7) Bus, railroad, passenger and truck terminals (without video poker gaming facilities) (Ord. No. 98-4-17, § II, 4-20-98)
 - (8) Bottling works
 - (9) Dog pound
 - (10) Building supply
 - (11) Heating and air conditioning service
 - (12) Plumbing shops
 - (13) Motor vehicle repair
 - (14) Glass installation
 - (15) Fabrication of gaskets and packing of soft metal material
 - (16) Creameries
 - (17) Parcel delivery service
 - (18) *Reserved.* (Ord. No. 97-7-4, § VIII, 7-7-97)
 - (19) Frozen food lockers
 - (20) Public stables
 - (21) Bulk dairy products (retail)
 - (22) Animal hospitals
 - (23) Gymnasiums
 - (24) Sheet metal shops
 - (25) Upholstery
 - (26) Other uses of similar intensity
 - (27) Customary accessory uses incidental to the above uses when located on the same lot.
 - b. Special exception uses and structures:
 - (1) Temporary construction facilities for a period of one (1) year upon approval of the Planning Director. (Ord. No. 88-9-9, 9-6-88)
 - c. Special permit uses and structures include the following:
 - (1) Barrooms, night clubs, lounges, and dancehalls.
 - (2) R-1A and R-1B uses upon review and approval by the Planning Commission.
 - (3) R-3 uses upon review and approval by the Planning Commission and supporting resolution of the Council.
 - (4) *Reserved.* (Ord. No. 01-5-18, § II, 5-21-01)
 - (5) Cellular installations and PCS (personal communication service) installations.
 - (6) *Reserved.* (Ord. No. 01-5-18, § III, 5-21-01)
 - (7) Warehouses (non-hazardous materials) over ten thousand (10,000) square feet.
 - (8) Green markets upon review and approval by the Planning Commission and supporting resolution of the Council. Such sites must possess frontage on a hard-surfaced public collector or arterial street.
 - (9) Bingo Halls, Video Bingo Parlors, and Off-Track Betting Establishments upon review of the Planning Commission and Ordinance of the Parish Council.
 - (10) Outdoor storage, when accessory to an otherwise permitted use in the district.
(Ord. No. 92-9-14, 9-8-92; Ord. No. 94-1-9, § IV, 1-10-94; Ord. No. 94-6-6, § II, 6-6-94; Ord. No. 97-7-4, § IV, 7-7-97; Ord. No. 98-4-17, § III, 4-20-98; Ord. No. 99-12-24, § I, 12-20-99; Ord. No. 03-1-12, § IV, 1-21-03; Ord. No. 07-10-10, § II, 10-15-07; Ord. No. 09-2-6, § 1, 2-16-09)
- 2. Spatial Requirements:
 - a. Minimum lot size: Seven thousand (7,000) square feet, minimum width - seventy (70) feet.
 - b. Minimum yard sizes:
 - (1) Front - twenty (20) feet
 - (2) Side - five (5) feet
 - (3) Rear - ten (10) feet
 - (4) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, notwithstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999. (Ord. No. 08-8-9, § XII, 8-18-08)
(Ord. No. 82-6-6, § 1, 6-7-82)

- 3. Transportation System: Arterial, local industrial, rail, water.
- 4. Special Provisions:
 - a. Where any commercial use in a C-3 zoning district abuts any residential district or use, a six-foot high solid wood fence or masonry wall shall border the same and there shall be a buffer strip ten (10) feet wide designated and maintained on the site planted with plant materials acceptable for buffer zones unless the Planning and Zoning Department shall require a greater or lesser buffer strip.

(Ord. No. 82-6-9, § III, 6-7-82; Ord. No. 98-1-3, § IV, 1-5-98)

[V.] *Prohibited use:* Medical waste storage, treatment or disposal facilities. (Ord. No. 90-9-4, § II, 9-4-90)

ANALYSIS

The applicant requests to rezone the site from R1-A to C-3. The site is currently not in use but was formerly used for several years for auto repair services, which is not a permitted use in a R1-A zoning district. A change to C-3 zoning would place the site’s intended land use as an auto repair shop in compliance with the Zoning Ordinance, as motor vehicle repair is a permitted use in C-3 zoning.

The future land use map (FLUM) of the 2030 Comprehensive Plan shows a small node of neighborhood commercial uses along River Road in New Sarpy with low density residential uses between River Road and Airline Highway. Per the 2030 Comprehensive Plan, neighborhood commercial areas accommodate sales and services for the daily self-sufficiency of residents. Appropriate uses for neighborhood commercial include uses permitted in C-1 and C-2 zoning districts.



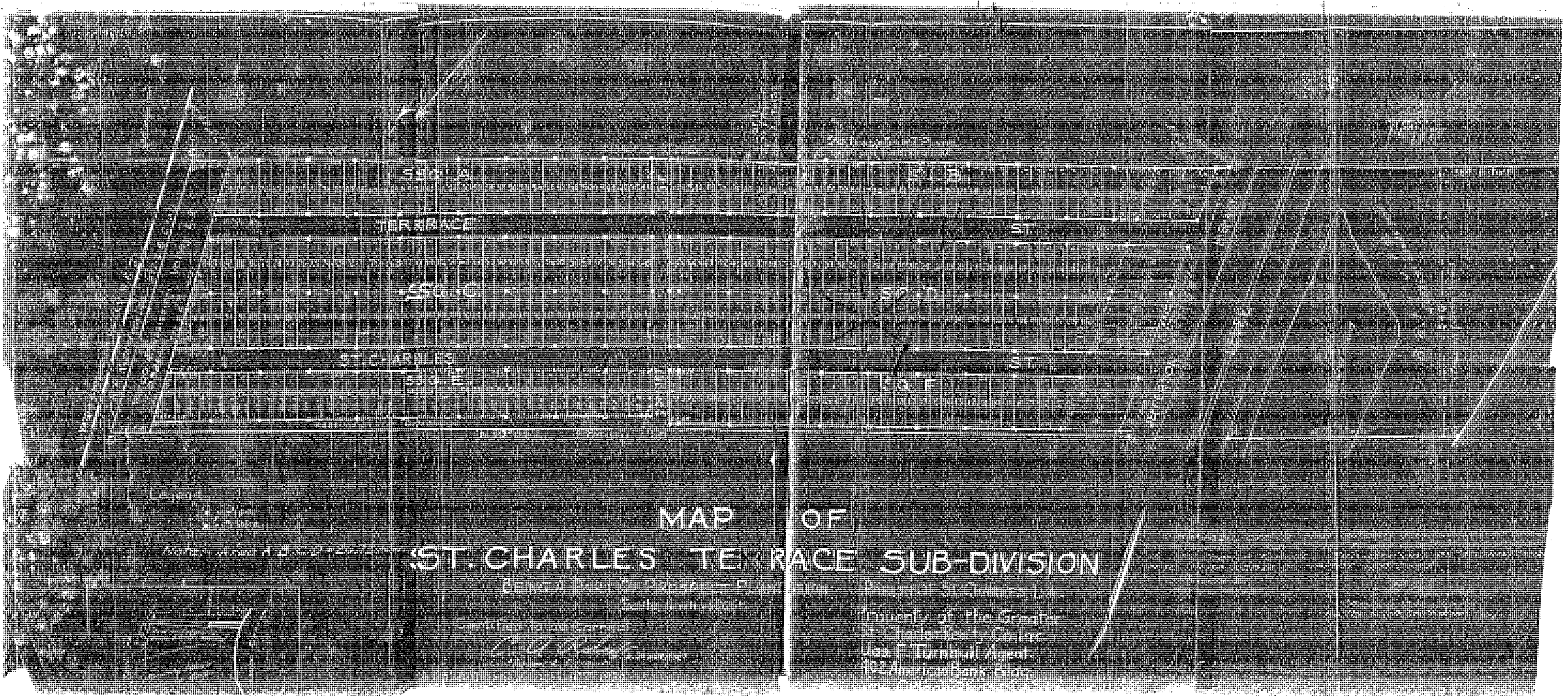
Per the applicant’s description, this site has operated as an auto repair shop for nearly 50 years. It is compatible with other commercial properties fronting River Rd in the New Sarpy area including C-3 and C-2 zoned properties located south of the applicant’s property. These commercial properties include River Road Self Storage, Moheng’s Garage (auto repair shop), Pam & Dale’s Seafood Restaurant, and Friendly Quick Stop (convenience store). See zoning map—the applicant’s property is indicated by a red dot.

In order to receive a recommendation for approval, a rezoning request must meet all of the criteria of at least one of three evaluation tests. This request meets all criteria of the third test.

DEPARTMENTAL RECOMMENDATION

Approval.

- ◆ The site has operated as an auto repair shop in the past and is suited for continued use as an auto repair shop.
- ◆ The FLUM shows neighborhood commercial as a viable land use in the area. An auto repair shop accommodates sales and services for the daily self-sufficiency of residents.
- ◆ The site is compatible with the other functional commercial properties along River Road. It does not place new limits to the value of surrounding residential properties or negatively impact the character and usefulness of the adjacent residential area.



PZR-2015-14
Requested by Donald James George
Rezone from R1-A to C-3

0 200 400 Feet

N



LAND USE REPORT
CASE NUMBER: PZR 2015-15

| | |
|---|--|
| <p>◆ Name/Address of Applicant: Roy Estay 129 Mitzi Lane Paradis LA 70080</p> | <p>Application Date: 3/6/15</p> |
| <p>◆ Location of Site: 106 Mitzi Lane</p> | |
| <p>◆ Requested Action Rezone from R-1AM to R-1M</p> | |
| <p>◆ Purpose of Requested Action Add RV spots to existing RV Park</p> | |

- ◆ **Size of Parcel**
5,000 sq. ft.
- ◆ **Existing Land Use and Zoning**
R-1AM zoning & Land Use
- ◆ **Surrounding Land Uses and Zoning**
Rural, low density residential, primarily consisting of mobile home residential structures. R-1AM zoning surrounds the applicant site on the west and south sides, OL zoning is in place across Old Spanish Trail. Adjacent to the east side of the site is the existing RV Park on land owned by the applicants and zoned R-1M.
- ◆ **Traffic Access and Parking**
Old Spanish Trail and Mitzi Lane.
- ◆ **Plan 2030 Recommendations:**
Moderate Density Residential

1. Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the proponent's property and adjacent property. Reasonableness is defined as:
 - a. Land use the same as, or similar to that existing on properties next to, or across the street from the site under consideration.
 - b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
 - c. Consideration of changes in land value, physical environment or economic aspects, which tend to limit the usefulness of vacant land or buildings.
2. The proposed zoning change, and the potential of a resulting land use change, will comply with the general public interest and welfare and will not create:
 - a. Undue congestion of streets and traffic access.
 - b. Overcrowding of land or overburden on public facilities such as transportation, sewerage, drainage, schools, parks and other public facilities.
 - c. Land or building usage which, is, or may become incompatible with existing character or usage of the neighborhood.
 - d. An oversupply of types of land use or zoning in proportion to population, land use and public facilities in the neighborhood.

3. The proposed zoning change is in keeping with zoning law and precedent, in that:
 - a. It is not capricious or arbitrary in nature or intent.
 - b. It does not create a monopoly, or limit the value or usefulness of neighboring properties.
 - c. It does not adversely affect the reliance that neighboring property owners or occupants have placed upon existing zoning patterns.
 - d. It does not create a spot zone, that is, an incompatible or unrelated classification which would prevent the normal maintenance and enjoyment of adjacent properties.

Appendix A. Zoning Ordinance, Section IV.9:

[IV.] R-1M. Manufactured home/recreational vehicle (RV) park:

Policy statement: This district is established to allow single-family residential usage of manufactured housing and recreational vehicles (RV) in a specially designed community or park with public and private amenities provided by the park developer as opposed to the park tenants. This district will allow a greater density of single-family residences to locate in an aesthetically pleasing environment by requiring certain spatial and buffer requirements.

1. Use Regulations:
 - a. A building or land shall be used only for manufactured home and RV parks and accessory uses.
 - b. Special exception uses and structures include clubhouses, laundry facilities, rental offices, managers' homes, and/or accessory recreational facilities for park residents only.

ANALYSIS

This request is being made to change the zoning of a lot indicated on the submitted survey as Lot C abutting an existing RV Park from R-1AM to R-1M. The lot measures 100-feet wide by 70 feet deep and was previously occupied by a mobile home but is now vacant. The applicant intends to convert the lot into RV sites; which would expand the RV Park. However, Lot C is a separate lot of record from the rest of the RV Park.

Recommendation for rezoning approval requires that an application must meet the tests of one of three criteria listed above. This application **meets the third criteria**, which addresses whether the proposed zoning change is in keeping with zoning law and precedent.

Guidance is given to the Department by examples of potential conflicts with zoning laws and precedent:

- a. The zoning change would not be capricious or arbitrary; nor,
- b. It does not limit the value or usefulness of neighboring properties because it would result in the same land use and abutting sites on the applicant's property;
- c. It does not adversely affect the reliance of neighboring property owners have placed upon existing zoning patterns because it makes the land use match that of the abutting sites on the applicant's property;
- d. It does not create a spot zone that is incompatible with adjacent properties because it adds to existing R-1M zoning already there.

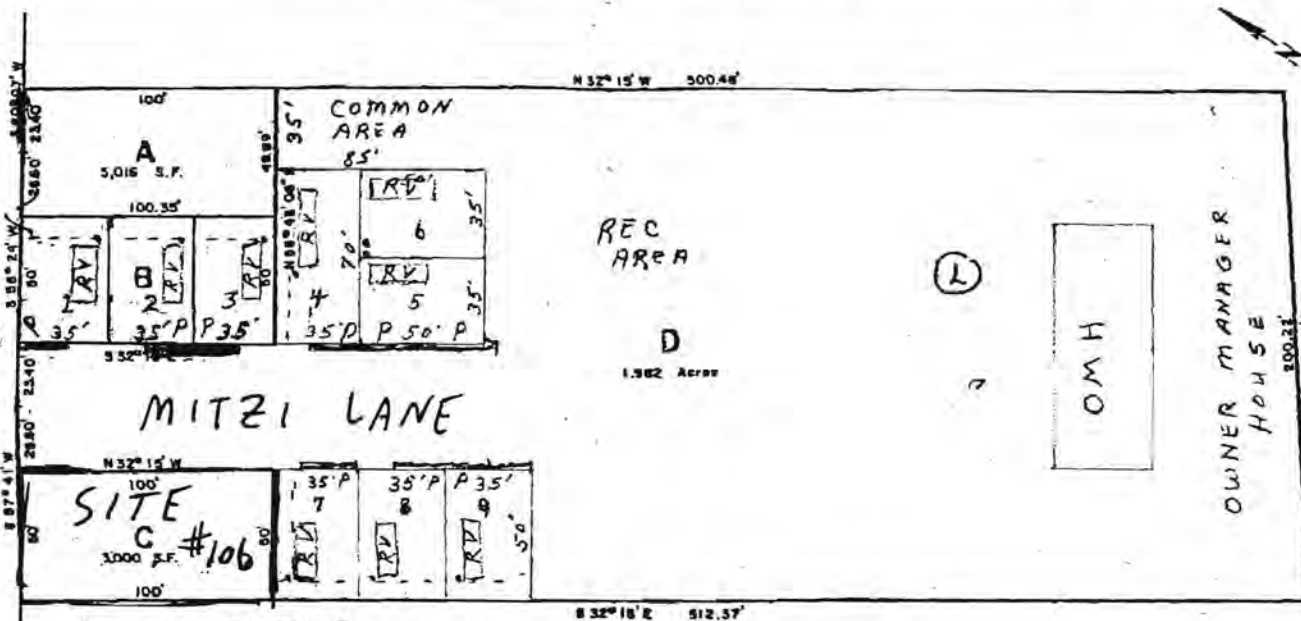
The Future Land Use Map for the lot is *Moderate Density Residential*. Amending the Future Land Use Map is not required in this case as the site is less than 3 acres.

During a visit to the site, it was discovered that 3 new hookups are already installed on the lot. But since it is only 100-feet wide, and because the Zoning Ordinance states a minimum width for individual RV sites as 35-feet, **only 2 sites can legally fit on the lot**. It would need to be at least 105-feet wide. However, after rezoning approval (if granted), an administrative resubdivision of Lot C with Lots A, B, & D (the existing RV Park lots) would allow the third spot since the site can be calculated using the increased square feet of the larger area.

DEPARTMENT RECOMMENDATION

Approval.

OLD U.S. HWY. 90



Recommendation
Approval / Disapproval
Richard D. Dyer
Planning Comm. Chairman
8-19-82
Date

Approved:
Stirling Melancon
Council Chairman
9-13-82
Date

Approved:
[Signature]
Parish President
9-13-82
Date

Lots- 1,2,3,5,6,7,8,9
1750 sq. ft.
Lot- 4 -- 2450 sq. ft.
--- indicates buffer
P- Parking for 2
vehicles per lot
(over)

RESUBDIVISION OF A PORTION OF LAND
LOCATED IN SECTION 37, T14S-R20E
FORMERLY BEING THE SOUTH HALF OF SECTION 3, T14S-R20E
AS SHOWN ON SURVEY BY R. P. BERNARD, DATED MAY 2, 1979
INTO LOTS A, B, C & D
NEAR PARADIS, ST. CHARLES PARISH, LOUISIANA

SCALE: 1" = 60'

This plat is made in accordance with Louisiana
RS 33:5050, et seq. and all regulations governing
planning, and comply fully with the zoning
requirements of the RIAM district in respect to
area and width.

L. C. Green
Land Surveyor
JUNE 11, 1982
Date

1026 GASSEN STREET, LULING LOUISIANA

Recorded in The Clerk of Court's Office
St. Charles Parish on the ___ day of ___,
in Book ___ Folio ___,
Entry # ___

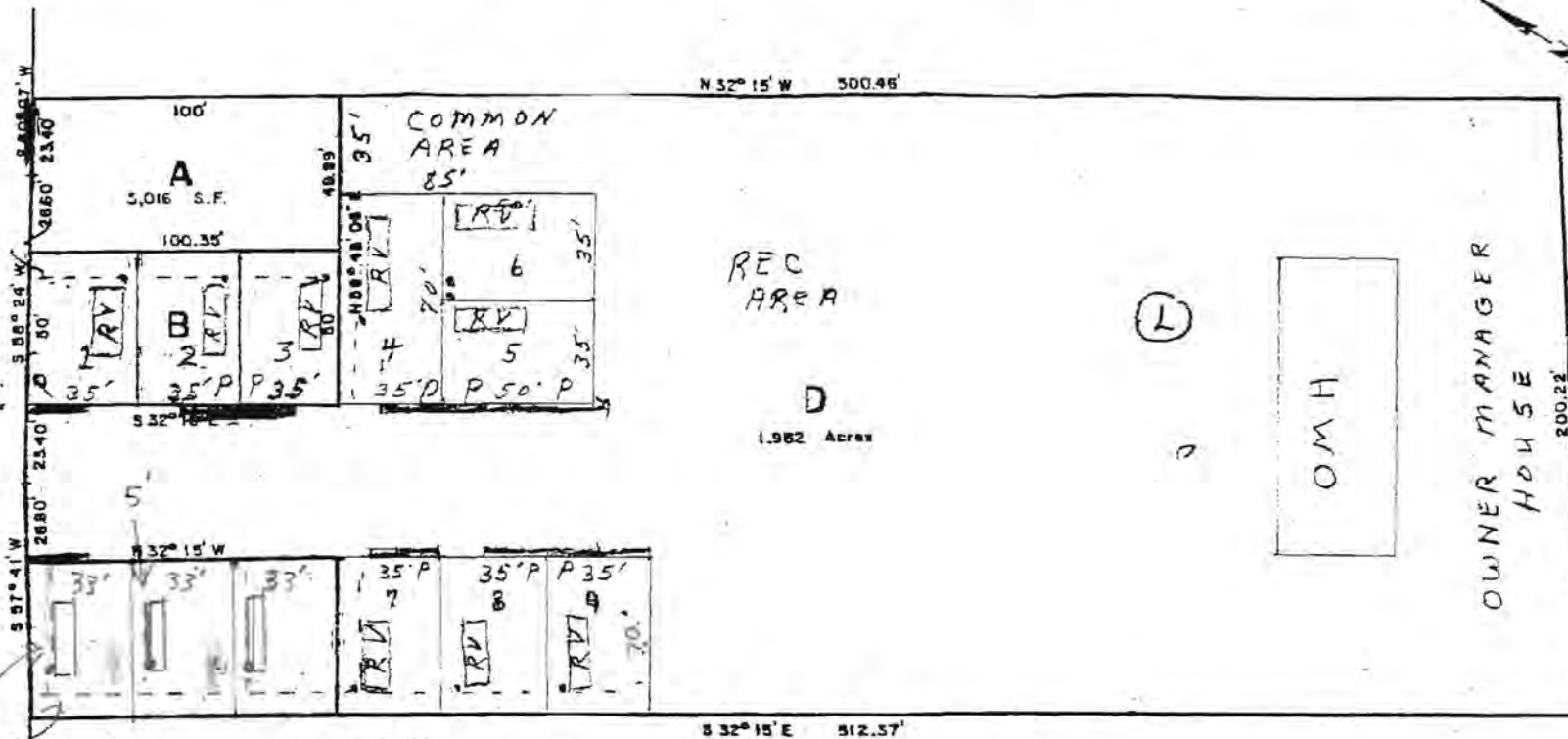
Signature _____ Title _____

The sewage disposal treatment system for
this subdivision is acceptable and meets
St. Charles Parish & State of Louisiana
requirements and if maintained properly,
can be expected to function satisfactory

Richard D. Dyer
Seal/Commissioner Date 9/1/82



10- OLD U.S. HWY. 90



Lots- 1,2,3,5,6,7,8,9
1750 sq. ft.

Lot- 4 -- 2450 sq. ft.

--- indicates buffer

P- Parking for 2
vehicles per lot
(over)

The sewage disposal treatment system for this subdivision is acceptable and meets St. Charles Parish & State of Louisiana requirements and if maintained properly, can be expected to function satisfactory

Richard J. Ogden 6/11/82
Sanitarian Date

RESUBDIVISION OF A PORTION OF LAND
LOCATED IN SECTION 37, T14S-R20E
FORMERLY BEING THE SOUTH HALF OF SECTION 3, T14S-R20E
AS SHOWN ON SURVEY BY R. P. BERNARD, DATED MAY 2, 1979
INTO LOTS A, B, C & D
NEAR PARADIS, ST CHARLES PARISH, LOUISIANA

SCALE: 1" = 60'



This plat is made in accordance with Louisiana RS 33:5050, et. seq. and all regulations governing platting, and comply fully with the zoning requirements of the RIAM district in respect to area and width.

Luc C. Green JUNE 11, 1982
Land Surveyor Date

1026 GASSEN STREET, LULING LOUISIANA

Recommendation
Approval / Disapproval

Richard J. Ogden
Planning Comm. Chairman

8-19-82
Date

Approved:

Stirling Melancon
Council Chairman

7-13-82
Date

Approved:

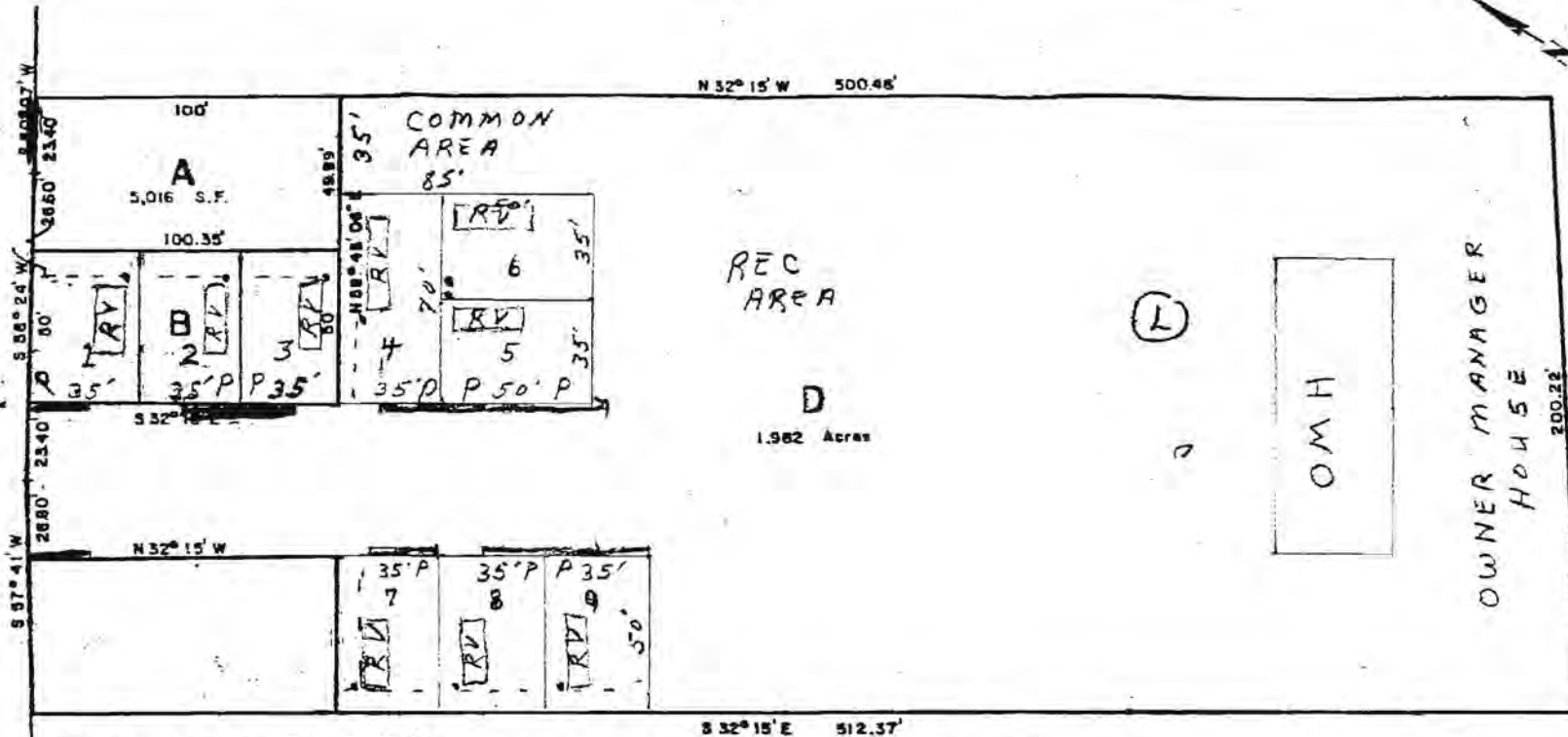
[Signature]
Parish President

7-13-82
Date

Recorded in The Clerk of Court's Office
St. Charles Parish on the _____ day of _____,
in Book _____, Folio _____,
Entry # _____.

Signature Title

OLD U.S. HWY. 90



Lots-1,2,3,5,6,7,8,9
1750 sq.ft.

Lot - 4 -- 2450 sq.ft.

--- indicates buffer

P- Parking for 2
vehicles per lot
(over)

The sewage disposal treatment system for this subdivision is acceptable and meets St. Charles Parish & State of Louisiana requirements and if maintained properly, can be expected to function satisfactory

Richard G. Aspin 6/1/82
Sanitarian Date

RESUBDIVISION OF A PORTION OF LAND
LOCATED IN SECTION 37, T14S-R20E
FORMERLY BEING THE SOUTH HALF OF SECTION 3, T14S-R20E
AS SHOWN ON SURVEY BY R. P. BERNARD, DATED MAY 2, 1979

INTO LOTS A, B, C & D
NEAR PARADIS, ST. CHARLES PARISH, LOUISIANA

SCALE: 1" = 60'



This plat is made in accordance with Louisiana RS 33:5050, et seq. and all regulations governing platting, and comply fully with the zoning requirements of the RIAM district in respect to area and width.

Luc C. Gassen JUNE 11, 1982
Land Surveyor Date

1026 GASSEN STREET, LULING LOUISIANA

Recommendation
Approval / Disapproval

Richard G. Aspin
Planning Comm. Chairman

8-19-82
Date

Approved:

Stirling Melancon
Council Chairman

7-13-82
Date

Approved:

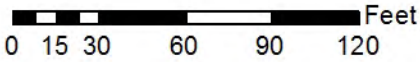
[Signature]
Parish President

7-13-82
Date

Recorded in The Clerk of Court's Office
St. Charles Parish on the _____ day of _____,
in Book _____, Folio _____,
Entry # _____.

Signature Title

PZR-2015-15
Requested by: Roy Estay
Rezone Lot C from R-1A to R-1M



St. Charles Parish Zoning Ordinance Modernization Project

Summary Report

Draft

February 5, 2015

rev.

May, 2015

Prepared by

The University of New Orleans, Division of Planning Services

Merritt C. Becker, Jr., UNO Transportation Institute

In coordination with

The St. Charles Parish Department of Planning and Zoning



MERRITT C. BECKER, JR.

UNO TRANSPORTATION INSTITUTE

Contents

A. Introduction and Background

B. Organization and Approach

1. The St. Charles Parish Comprehensive Plan

C. Zoning Ordinance Sections

1. Update and modernize zoning code definitions.
2. Evaluate and modernize standards for transitional buffers in the R3, CR1, C1, C2, C3, M1, and M2 zoning districts.
3. Modernize standards for landscaping and required parking.
4. Propose standards for industrial development
5. Review and broaden existing residential zoning districts to accommodate multiple housing types - Modernize multifamily and townhouse development standards.
6. Updated standards for mobile homes and modular housing to ensure compatibility with site built residential uses.
7. Update Home Occupation standards (ED 5.3).
8. Increase the transparency, predictability, and consistency of the development approval process with attention to:
 - a. Modernizing nonconforming use provisions,
 - b. Strengthening special permit use and variance evaluation criteria,
 - c. Improving rezoning criteria, and
 - d. Revising standards for interpreting zoning district boundary lines and permitted uses
9. Recommend a revised fee structure for land use applications.
10. Develop and implement stakeholder and public participation plan.
11. Present draft and final version of ordinance at a minimum of six (6) public meetings including Council Committee meetings/public hearings and meetings of the Planning Commission.
12. Briefings for Staff, Parish Officials, Planning Commissioners and Zoning Board of Adjustment members on amendments.
13. Provide a written summary of all proposed changes that cross-references the existing codes. Identify peripherally affected sections of the Parish Code. **This Report**

A. INTRODUCTION and BACKGROUND

St Charles Parish understands the need to modernize specific portions of the Zoning Ordinance. To reach this goal, the Parish requested assistance from the University of New Orleans, Division of Planning, at the UNO Merritt Becker Transportation Institute (UNO). The staff and faculty of UNO assigned to this project have many years of experience in planning, zoning and land use.

As in many communities, the existing St. Charles Parish Zoning Ordinance has been revised in a piecemeal manner over the past 33 years, largely in response to specific zoning issues that arise. Consequently, the code contains inconsistencies and does not always reflect the best zoning practices. The St. Charles Parish Planning and Zoning Department developed the scope of work and specified the sections and issues most critical at this point. These sections presumably are those that consistently identify themselves as needing attention.

Though this project is not a complete overhaul of the existing Zoning Ordinance, it can be seen as the first phase of revisions leading to a coherent and up to date set of regulations. The Parish has the expectation that these revisions will express a progressive vision that will be, consistent with the adopted goals and policies of the *Comprehensive Land Use Plan* and other relevant plans and policies. The amendments should promote balanced growth while protecting the health, safety and welfare of the residents and businesses of St. Charles Parish.

B. ORGANIZATION and APPROACH

This report is a summary of the process of amending specified sections of the zoning ordinance. It details the review process, including any pertinent research that guided changes and revisions to existing regulations. Most of the research involved looking at what other local governments in state of Louisiana, particularly southeast part of the state, are doing in each specific area. For some sections, communities beyond Louisiana's borders were reviewed, where additional information was needed. Additionally, the *American Planning Association* has a wealth of resources – research, reports, and studies – that proved useful in this project.

Local sources included regular meetings and communication with the St. Charles Parish Planning and Zoning Department. Existing applicable plans were also considered for recommendations made related to the issues and regulations being reviewed by this study, including:

- *St. Charles Parish 2030 Comprehensive Plan*, adopted in 2011
- *The Paul Maillard Road Revitalization Plan*, adopted in 2014

This project was done in partnership with the St. Charles Parish Planning and Zoning Department. The staff members of the department are experienced professionals who administer and enforce the regulations on a daily basis. Everything presented in this report is the result of constant communication between the University of New Orleans and the St. Charles Parish planning staff.

C. ZONING ORDINANCE SECTIONS

1. *Update and Modernize Zoning Code Definitions.*

The “definition” section of any Zoning Ordinance is critical. Proper and complete definitions of terms, uses, and other terminology is essential for the staff to properly administer the code, and for the general public to more easily navigate the often confusing application and approval processes.

In the context of the land development ordinance, definitions have three purposes:

- Definitions simplify or clarify the text.
- Definitions establish the precise meaning of a word or phrase that may be subject to differing interpretations.
- Definitions transform or translate technical terms into an understandable, usable terminology

Definitions simplify, clarify, and translate. What should they not do? ***“Definitions should not contain the control standards that regulate the defined word or phrase” (A Planners Dictionary, APA. PAS # 521-522).*** This occurs quite a bit in the existing definition section of the St. Charles Parish Zoning Ordinance. Where it does occur, the consultants recommend that the control standards and regulations found in the definition were moved to a new draft “Supplemental Regulations” section.

The existing definitions were reviewed for relevance, clarity and completeness. Many of the original and existing definitions remain in place. Some definitions were deemed to be out-of-date, incomplete, or not very clear. Many of these were recommended to be either deleted or combined with other terms, while many are new definitions, not in the current ordinance at all.

New and revised definitions come from a variety of sources. One source is other communities in the region. Many communities in Louisiana have been updating their zoning ordinances, including the definitions. And since many terms, uses, etc. are not unique to any one community, these other parishes and municipalities are an ideal source. Additionally, the American Planning Association has published A ***Planners Dictionary*** (American Planning Association, Planning Advisory Service Report Number 521-522). These two sources, other communities’ ordinances and the Planners Dictionary, were the basis of many of the proposed changes. Where necessary and appropriate, these were altered or “tailored” to fit the needs of St. Charles Parish.

2. ***Evaluate and Modernize Standards For Transitional Buffers in the R3, CR1, C1, C2, C3, M1, and M2 Zoning Districts*** (CC 1.4).

St. Charles Parish has very few standards for landscaping in general and almost none for buffering. The purpose of buffering requirements is “reduce the impacts of existing adjacent incompatible use, and to minimize future incompatibilities.” For instance, buffer requirements would protect and lessen impact of commercial uses adjacent to residential areas. Buffer requirements may include additional area requirements, landscaping, fencing or other buffering materials.

The St. Charles Parish Planning and Zoning Department staff and UNO have reviewed and discussed several iterations of this section and have agreed that this section requires additional research and discussion. It is the recommendation of UNO that this section not move forward at this time while staff and UNO work to better craft appropriate regulations.

~~The proposed buffer requirements are rather basic and can be built on later as the Parish sees the need for additional requirements. This would consolidate all of the additional buffer requirements into one section. The specific buffering requirements identified in each of the zoning districts could be removed.~~

Proposed Changes

Update to Definition:

~~*Buffer*—An area established in order to protect and separate one land use from another, which may include additional area or setback requirements, landscaping, fencing or other buffering materials.~~

BUFFER PROTECTION AND SCREENING

~~A. *PURPOSE*~~

~~Landscaped buffers are required to be provided and maintained when certain land uses are adjacent to, or directly across from each other in order to protect uses from the traffic, noise, glare, trash, vibration, and odor likely to be associated with a more intensive land use. Landscaped buffers are also required to conserve the values of land and buildings and to provide adequate light and air.~~

~~B. BUFFER AND SCREENING REQUIREMENTS~~

Buffering shall be provided in accordance with the following requirements. Where there is any overlap of uses (i.e. a Public Service Facility in a M-3 District, the largest buffer areas shall apply):

| TABLE XXX: BUFFER ZONE REQUIREMENTS | | | | |
|---|--|--------------------------------|--|---|
| PROPOSED USE | EXISTING ADJACENT DISTRICTS | | | |
| | ADJACENT TO- R-1A, R-1A(M), R-1B | ADJACENT TO- R1-M, R-2, R-3 | ADJACENT TO- CR-1, C-1, C-2, C-3 | ADJACENT TO- ANY M OR B- DISTRICT |
| R-1A, R-1A(M), R1-B | N/A | D | B | A |
| R1-M, R-2, R-3 | D | N/A | C | A |
| Institutional/Government and Public Service Facilities | B | B | B | A |
| CR-1, C-1, C-2, C-3 Uses and Special Exceptions | C | C | N/A | B |
| M-1, M-2, and B-1 Uses and Special Exceptions | B | B | B | B |
| M-3 and B-2 Uses and Special Exceptions | A | A | B | B |

| TABLE XXX: DESCRIPTION OF REQUIRED BUFFER ZONES | | | |
|---|-------------------|---------------------|---|
| BUFFER ONE | MINIMUM- WIDTH | SCREEN | PLANT MATERIALS |
| A | 100 ft | 8 ft Solid Fence | Combination of dense plant materials and fencing/walls to create an opaque screen |
| B | 25 ft | 8 ft Solid Fence | Combination of dense plant materials and fencing/walls to create an opaque screen |
| C | 15 ft | None | Combination of plant materials and groundcover |
| D | 8 ft | None | Combination of plant materials and groundcover |

3. *Modernize Standards for Landscaping and Required Parking.*

There are almost no existing landscaping requirements in St. Charles Parish's ordinances. The existing "Parking " section also has a few minimal landscaping requirements, primarily for interior parking lot landscaping.

Proposed Changes

Even though parking and landscaping are two different issues, they tend to overlap. The proposed changes are minor regarding parking. Some requirements related to loading areas have been clarified. The two have been separated into their own sections, although there are still some areas where they overlap – such as landscaping within the parking areas.

a. *Parking*

1. Ingress and egress,
2. Loading Area requirements clarified
3. Minimum requirements for number of spaces by use have been reviewed with few proposed changes.

b. *Landscaping*

1. Clearer description of what is required for landscaping and maintenance.
2. List of recommended trees identified by the Louisiana State University (LSU) Agricultural Center.

4. *Industrial Development Standards*

This section is similar to the landscaping, buffer, and parking sections with a focus on how these issues impact industrial development. ~~The proposed standards are not onerous and, in fact, most of the larger industrial sites in St. Charles Parish meet or exceed these regulations. Specifically, the new regulations address landscaping, outdoor storage areas, employee parking and screening.~~

The St. Charles Parish Planning and Zoning Department staff and UNO have reviewed and discussed several iterations of this section and have agreed that this section requires additional research and discussion. As with the closely related "Buffer" section, it is the recommendation of UNO that this section not move forward at this time while staff and UNO work to better craft appropriate regulations.

5. Review and Broaden Existing Residential Zoning Districts to Accommodate Multiple Housing Types as May Be Appropriate, Including Standards for Accessory Dwelling Units (LU-1.2/HOU 1.1). Modernize Multifamily and Townhouse Development Standards.

Like many communities, St. Charles Parish's zoning ordinance follows the conventional "Euclidian" zoning where various uses (residential, commercial, industrial) are separated. However, in recent years, due to many factors including, but not limited to, changing demographics and lifestyles, this separation of uses is not always desirable. With aging "baby boomers" looking at caring for aging parents, and possibly their own retirement accommodations, *Accessory Dwelling Units* (ADU's – or "granny-flats") are becoming more popular.

The following are excerpts from the Comprehensive Plan related to Accessory Dwelling Units (ADU's) and other housing issues:

LU-1.2 Review, strengthen and amend the existing R-1A, R-1B, R-2 and R-3 (residential) districts to ensure that they accommodate multiple housing types consistent with the Future Land Use categories, either as "by right" permitted uses, or as special exceptions or conditional uses subject to determination of compatibility.

HOU 1.1 Adopt Accessory Unit regulations applicable to existing residential zoning districts to facilitate the provision of legal accessory units. These types of units offer an alternative form of housing for families with aging parents, among others.

The draft changes and amendments to the existing regulations for ADU's include:

- A definition for "Accessory Dwelling Unit."
- Development criteria for an "ADU".
- "By-right" in R-2 and R-3, and special exceptions in R-1A and R-1B.

Townhouse developments are not adequately addressed in the current Parish regulations. The existing definition has been updated and a set of basic design standards and guidelines are being proposed to facilitate aesthetically pleasing and appropriate townhouse development. These include requiring a varying setback and use of materials, as well as limiting the number of units in a structure to six dwelling units.

6. Updated Standards for Mobile Homes and Modular Housing

The existing standards and regulations in the St. Charles Parish regulations are outdated as they related to “mobile homes” and related “manufactured” and “modular” housing types. The first order of business is to update the definitions of each of the different types of manufactured housing. Not all manufactured housing is the same and all have their own set of regulations.

- New / revised definitions for:
 - *Prefabricated Housing* – catchall referring to all categories below, in summary, any dwelling unit built elsewhere and then moved to the permanent site.
 - *Manufactured Home or Housing* – built to code established in 1976 by the U.S. Department of Housing and Urban Development (HUD).
 - *Mobile Home* - Prefabricated trailer-type housing units, built before June 15, 1976.
 - *Manufactured Home Community* – A development of two (2) or more manufactured home sites, plots or stands, arranged on a large tract usually under single ownership. In short, a “mobile home park” or similar development.
 - *Modular Home* - Modular homes conform to all state, local and regional codes (International Building Code standards) where the structure is to be located. Same as a “stick built home.”
 - *Travel Trailer* – A vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling and may be hauled along a highway. Sometimes called a *Recreational Vehicle* (RV).

While the updating of definitions of this section is important, there are many options to be considered for the “Manufactured Housing Standards / Criteria “ – safety issues, tie, down requirements, and other site development standards, such as skirting, tie-downs, parking, and other appearance requirements that need to be discussed and vetted further. It is the recommendation of UNO that this section not move forward at this time while staff and UNO work to better craft appropriate regulations.

7. Update Home Occupation Standards

A random survey of several communities (including St. John Parish, City of New Orleans, LA; City of Mandeville, LA; City of St. Paul, MN; Jefferson Parish, LA, City of Sulphur, LA) and their approach to home occupations' regulations found that there is a strong common theme – to ensure and protect the residential character of neighborhoods from commercial intrusion.

All of those communities' home occupation regulations had the following common characteristics:

- Home occupations are clearly subordinate to the primary residential use in size and intensity
- Manufacturing is not a home occupation.
- No outdoor storage as this would indicate a much more intense operation than what is compatible in a residential area.
- No signage or at least very limited signage (i.e., a 2 s.f. identification sign).
- Limit the number and size of commercial vehicles.
- Some required a home occupation be carried on wholly within the main building. No home occupation shall be allowed in detached accessory buildings or garages. Others allowed home occupations in garages but not a special detached building for the use (such as a hair dressing studio).
- Business owner must also be the resident. No employees.

In some ways, the existing Home Occupation regulations of St. Charles Parish are much more lenient than most of those communities surveyed, perhaps because of its more rural nature. In summary, however, most of the existing regulations remain unchanged in the proposed revised set of proposed changes, including:

- Review by the Planning Department,
- Retaining a specific condition which reads *“the manufacture, sale, or repair firearms (or any related commercial activity) shall be prohibited in R-2 and R-3 residential zoning districts, and shall be additionally prohibited on residentially zoned lots which contain more than one dwelling unit.”*

8. Increase the Transparency, Predictability, and Consistency of the Development Approval Process:

- a. Nonconforming Use Provisions,
- b. Strengthening Special Permit Use and
- c. Variance Evaluation Criteria
- d. Improving Rezoning Criteria

Although all of these approval processes are different, they share some similarities. In each, the criteria for staff, Commission, or Council evaluation was tweaked a bit. In each case, review and approval should be based on:

- Compliance to the recommendations of the Comprehensive Plan
- The impact, or potential impact, on neighboring properties and uses.

Variance requests are slightly different in terms of the process because variances and the Board of Zoning Adjustments fall under their own sections of LA state law and case law. Specific criteria for evaluating a variance request were added based on a 2003 court case (*BARRY SAMUEL AND B. SAMUEL COMPANY, INC. VERSUS THE CITY OF NEW ORLEANS BOARD OF ZONING ADJUSTMENTS* (2003) 857 So. 2d 1075)

- e. Revising Standards for Interpreting Zoning District Boundary Lines and Permitted Uses (LU 3.2).

The language below should be included in the Zoning Ordinance

In the event of any question as to the appropriate use classification of any existing or proposed use or activity, the zoning administrator or designee shall have the authority to determine the appropriate classification, subject to the right of appeal as provided elsewhere in these regulations. In making such determinations, the zoning administrator shall consider the characteristics of the particular use in question, and shall consider any functional, product, service, or physical facility requirements common with or similar to uses cited as examples of use classifications.

9. Revised Fee Structure For Land Use Applications.

As in every other local government, St. Charles Parish authorities are able to charge fees in order to recover some of the costs of processing most types of planning applications. The question is whether the fees charged by the Parish for rezoning requests, variance requests, subdivision approvals, etc. are fair or at least in line with other parishes and municipalities.

The following research was done to determine where St. Charles Parish stands in relation to other local governments regarding its fee structure:

- A random review of local governments in Louisiana, particularly southeast Louisiana.
- American Planning Association – a survey of local governments' fees in various communities along the Gulf Coast of Mississippi, Alabama, and Florida.
- Discussions with St. Charles Parish planning department staff regarding time and effort for each review process

Findings

- Compared to communities in other states, Louisiana municipalities and parishes charge much lower fees.
- Compared to other communities in southeast Louisiana, St. Charles Parish generally has lower fees on most, not all, applications and approval requests.

Recommendations

The ***Fee Schedule – draft 2015-05-23*** reflects a reasonable set of fees that helps recover some of the costs of processing and review of planning applications while not imposing onerous fees on developers and property owners.

10. Develop and Implement Stakeholder and Public Participation Plan. Amend draft documents as warranted through the public participation process with a minimum of two (2) community meetings.

11. Present Draft and Final Version of Ordinance at a Minimum of Six (6) Public Meetings Including Council Committee Meetings/Public Hearings and Meetings of the Planning Commission.

12. Briefings for Staff, Parish Officials, Planning Commissioners and Zoning Board of Adjustment Members on Amendments

These three tasks can be summarized together. Public and stakeholder input are critical to this project. Working with the staff of the St. Charles Parish Planning and Zoning Department, the following meetings, workshops, and presentations took place:

A. Staff

- | | |
|-------------------------|--|
| 1) Kick-off Meeting | Earl Matherne, Rhys Kinler, Buddy Boe – Aug 25, 2014 |
| 2) Phone conversation : | Rhys Kinler – Sept. 17, 2014 |
| | Michael Albert – numerous dates, including email |
| 3) Meetings : | Michael Albert – Oct. 2, 2014 |
| | Staff – December 2, 2014 |
| 4) Meetings, other | tbd |

B. Planning Commission – Public Meetings

- | | |
|--------------------------|-------------------|
| 1) Initial presentation: | October 2, 2014 |
| 2) Presentation | February 12, 2015 |

C. Zoning Board of Adjustments – Public Meetings

- | | |
|-------------------------|------------------|
| 1) Initial Presentation | October 16, 2014 |
| 2) tbd | |

D. Community & Stakeholder Meetings

- | | |
|----------------------|-------------------|
| 1) Developer Meeting | December 17, 2014 |
| 2) Others | tbd |

E. Parish Council

- | | |
|--------|--|
| 1) tbd | |
|--------|--|

13. Provide a written summary of all proposed changes that cross-references the existing codes. Identify peripherally affected sections of the Parish Code. THIS REPORT